



Paul Butler Associates

Planning, Development & Heritage Consultants

Hallmark Developments

Former Dexine Mill

Planning and Heritage Statement

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Appendix 1: Map of Spotland Bridge Conservation Area, 2013

1. Introduction

- 1.1 This Planning and Heritage statement has been prepared by Paul Butler Associates on behalf of the applicant, Hallmark Developments. The statement is submitted in support of a section 73 application at the site of the former Dexine Mill, Spotland Road, Rochdale, OL12 0AU [the site].
- 1.2 The application is seeking an amendment to planning permission 20/01193/FUL for the retention of boundary treatment in the form of railings that have been installed on the northern and eastern boundaries of the site adjacent to Spotland Road and Primrose Street.
- 1.3 The submission of this application follows several approvals which have resulted in the demolition of the former mill and associated buildings in order to construct a modern industrial estate. This has resulted in a complete change to the site's character with very little to no evidence remaining of the former use of the area. The planning history associated with the site is provided in section 2 of this statement.
- 1.4 This statement provides an overview of the development proposals, assesses the proposals against local and national planning policy and presents the case for granting planning permission.

Documents submitted with Planning Application:

- 1.5 This planning application is accompanied by drawing no. H332/021/S prepared by AJ Cocker Associates.

Structure of this Statement

- 1.6 The remainder of this statement is structured as follows:

- Section 2 outlines the development that is sought under this section 73 application, provides a description of the site, its surrounding area and an overview of the planning history.
- Section 3 presents the planning and heritage policy that is relevant to the site.
- Section 4 provides an appraisal of the key planning and heritage issues which require consideration in the determination of the application.
- Section 5 concludes the statement and provides a summary of the overall case for granting planning permission.

2. The Application Proposals and The Surrounding Area

The Application Site and Proposals

- 2.1 The wider site relates to the modern industrial estate approved under 20/01193/FUL. This application relates to a small part of that site on the corner of Spotland Road (A680) and Primrose Street.
- 2.2 The area of relevance to this application is identified on drawing no. H332/021/S and comprises the boundary treatment as built on the northern and eastern boundaries totalling a length of approximately 70 metres. The boundary treatment forms the perimeter of the wider site and lies directly adjacent to an industrial shed. An area of hardstanding to the east of this industrial shed also forms part of this Section 73 application as it is materially different to the landscaping approved as part of the original permission.
- 2.3 The application seeks permission for the retention of the purpose made steel fencing between the site and the road and the minor changes to the landscaping.
- 2.4 The railings are currently in place and are fixed to a lower brick wall, with brick pillars at the southern end. The street side of the railings comprises green landscaping which on the northern elevation has intertwined with the railings.
- 2.5 A comparison between the previously approved layout (under 20/01193/FUL) and that proposed now is included below, this is followed by photos of the installed fencing which is the subject of this application.

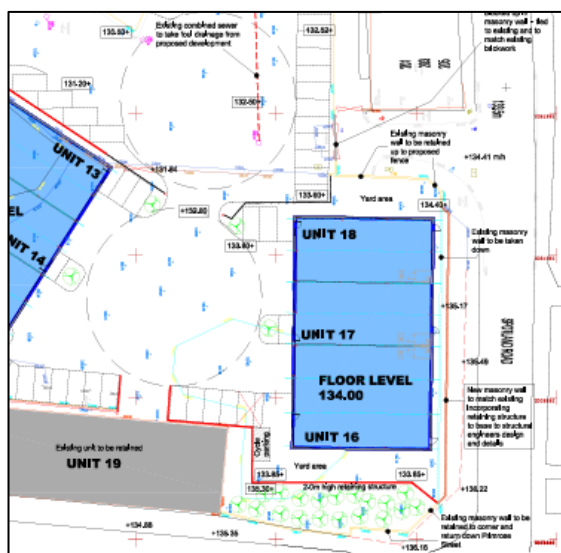


Fig 2.1 Approved site plan from app: 20/01193/FUL

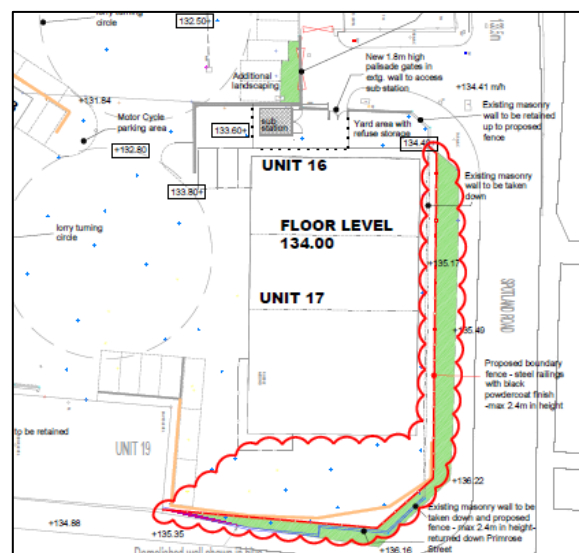


Fig 2.2 Proposed site plan.



Fig 2.3 Image of site looking west on Primrose Street



Fig 2.4 Image of site looking northwest on Primrose Street



Fig 2.5 Image of installed fencing along Spotland Road boundary.

The Surrounding Area

- 2.6 To the north of the site is Spotland Road (A680), which provides links to the wider Rochdale area including Naden Valley to the west and Greater Manchester to the east. Across the road facing the site, there is a dilapidated building in a poor state of repair, formerly known as 'Carter's Rest' (fig 2.15). Whilst this is on Rochdale's local list, it has many modern alterations including a roller shutter and UPVC windows in a variety of styles¹. Behind this, there are several rows of terraces, dating from c.1892, these have been heavily altered through unsympathetic rendering, pebble dash, boundary alterations and UPVC windows (see figs 2.11, 2.12, 2.13 and 2.14). The terraces represent an older area of the town of Rochdale, however they do not possess any special historic significance individually or as a coherent whole.
- 2.7 To the east of the site, there is a small block of five modern terraced houses, with associated parking which were built circa. 2020 (see fig 2.8). These are three storeys with dormers and UPVC windows. Backing onto these are a series of single storey, industrial sheds. These are currently in use as car workshops and garages, and pre-date the terraces to at least the early 2000s. The boundary treatment is a modern, metal fence, with large gates providing access.
- 2.8 Directly south of the site, there are multiple large industrial sheds, with built in skylights. These are commercial in their use and include a Screwfix shop, a sign works and an auto parts store. It is this area that is the former site of the mill, which was demolished circa 2019. These form the remainder of the site approved under planning permission 20/01193/FUL.
- 2.9 Beyond these sheds, further down Primrose Street, there is a row of two storey, red brick terraces, which likely date from c.1892 (see fig 5.1 OS map of 1892 which shows their construction and fig 2.10 in modern day). However, those remaining have been heavily

¹ <https://www.rochdale.gov.uk/heritage-conservation/non-designated-heritage-assets/3>

altered, with some previous demolition having taken place. Adjacent to these are some more modern terraces which were built c.2023.

- 2.10 The majority of the site is surrounded by modern industrial buildings, with pockets of terraced housing in close proximity to the area. The boundary treatments are predominantly modern fencing, with sporadic hard and soft landscaping surviving in areas.

Conservation Area Designation

- 2.11 Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that Local Planning Authorities are under a positive legal duty to assess Conservation Areas and review them from time to time to consider whether areas are suitable for designation or should remain designated.
- 2.12 The NPPF (paragraph 204) requires local planning authorities to ensure that an area justifies designation as a Conservation Area because of its special architectural or historic interest, so that the concept of conservation is not devalued through the designation of areas that lack special interest.
- 2.13 In designating Conservation Areas, Historic England Advice Note 1: Conservation Area Appraisal, Designation and Management sets out a staged approach whereby the first consideration is whether there is *sufficient architectural or historic interest for the area to be considered 'special'*?
- 2.14 Advice Note 1 contains detailed advice for local authorities in respect of the importance of preparing Conservation Area Appraisals and Management Plans to inform decision making. A key requirement for a Conservation Area Appraisal is the preparation of a Statement of Significance, this will define the special historic or architectural interest of the area and the character or appearance that it is desirable to preserve or enhance so that this can be taken into account in decision-making. The thrust of the guidance is intended to ensure that robust policies are developed which clearly identify what it is about the character or

appearance of the area which should be preserved or enhanced and the means of achieving that objective. The result being that this evidence based approach in turn will result in better local plan policies and development control decisions in achieving the objective of sustaining and enhancing the area's character.

- 2.15 Reflecting Section 69(2) of the Act, Advice Note 1 remarks that it is a statutory requirement for local planning authorities from time to time to review their Conservation Areas and this will need to refer back to the appraisal and the management plan.
- 2.16 The site is located in the east of the Spotland Bridge Conservation Area. The Conservation Area was designated in 2007 and reviewed in 2013, since then the Council have not reviewed its designation. Furthermore, the only public information available is a map of the Conservation Area. There is no publicly available Conservation Area Appraisal or Management Plan and therefore contrary to Historic England guidance the Council have failed to define the special architectural or historic interest that prompted its designation.
- 2.17 In the past 10 years, the eastern part of the Conservation Area has undergone significant transformation with the former historic Mill Buildings and Chimney being demolished. This historic interest associated with the site and a large portion of the Conservation Area has now been removed via the planning process and therefore the boundaries of the Conservation Area should be further reviewed to ensure that the *area has sufficient special architectural or historic interest and the concept of conservation is not devalued*.
- 2.18 In addition to the above, as Rochdale Council have not produced a Conservation Area Appraisal or Management Plan (or at the least made this publicly available), there is no available information about the Conservation Area and where the significance is derived from. The eastern part of the Conservation Area from the roundabout of Spotland Road / Mellor Street / Edenfield Road / Bridgefold Road does not possess the sufficient special architectural or historic interest as a coherent whole to justify ongoing protection via this designation. Whilst along Spotland Road there are a few individual buildings of some limited significance, these are interspersed by poor quality or modern buildings and spaces which

prevent the area from unifying and identifying as an area of special significance. The terraced properties to the north on Silver Street, Molyneux Street, Pilling Street, Edmund Street and Haslam Street (see fig 2.11-2.14) are also unremarkable representing merely an older area of housing stock within the township which is typical of many suburban areas throughout the northwest where such designation is not repeated and with good reason.

2.19 Photos of the surrounding area are shown below:



Fig 2.6 View from Spotland Road looking south towards the site.



Fig 2.7 View looking from Spotland Road, looking south towards the wider industrial estate.



Fig 2.8 View looking south east from the junction of Spotland Road and Primrose Street showing the properties opposite the site.



Fig 2.9 Industrial sheds opposite the site on Primrose Street.



Fig 2.10 View looking north up Primrose Street, the site is beyond the terraces.



Fig 2.11 Terraces north of the site on Silver Street, within the Conservation Area.



Fig 2.12 View of Silver Street, within terraces north of the site (Conservation Area).



Fig 2.13 View of Pilling Street within the terraces north of the site (Conservation Area).



Fig 2.14 Terraces to the north of the site on Molyneux Street.



Fig 2.15 Former Public House, Carter's Rest on Spotland Road, at the top of Primrose Street.



Fig 2.16 View looking east on Spotland Road towards the site.



Fig 2.17 Approaching the Spotland Road roundabout with marbled building to the left.



Fig 2.18 Closer image of marbled building, looking north towards the roundabout approach on Spotland Road.

Planning History

Reference	Description	Decision + Date
19/00804/FUL	Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 12 industrial units (B1 and B2 Use Classes), the refurbishment and minor alteration of existing industrial buildings together with the creation of a service yard and car parking; the erection of 4 dwellings (2no 4 bedroom semi-detached units), together with the creation of parking areas for existing units (39 spaces) and parking for proposed units (74 spaces, including 2 disabled units) and the alteration of the existing access	Grant 12.11.2019
20/00011/DOC	Submission of details to comply with condition 3,4,5 and 11 on planning permission 19/00804/FUL.	Grant 19.01.2020
20/01193/FUL	Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the	Grant 18.03.2021

Reference	Description	Decision + Date
	erection of 10 industrial units (E and B2 Use Classes), together with the creation of a service yard, car parking and substation; the erection of 2 dwellings (4 bedroom semi-detached units), together with the creation of parking areas for existing units and parking for proposed units and the alteration of the existing access - Resubmission of 19/00804/FUL	
21/00932/DOC	Submission of details to comply with conditions 4 (CEMP), 6 (Land remediation), 7 (drainage), 8 (surface water drainage), 9 (archaeological), 10 (Landscaping scheme), 13 (bin and cycle store), 14 (boundary treatment), 16 (car parking), 18 (NIA) and 19 (Travel Plan) on planning permission 20/01193/FUL	Approved conditions: 4, 7, 8, 9, 16, 18, 19. Refused conditions: 6, 10, 13, 14. Conditions 10 and 14 relate to boundary treatments. 12.12.2023
22/00832/ANM	Application for non-material amendment to planning application 20/01193/FUL in order to ratify alterations to site layout, retaining structures and landscaping which have taken place during the course of the development.	Refused 27.02.2026
22/00975/ANM	Application for non-material amendment to planning application 20/01193/FUL to amend site access arrangements (substitute approved site layout ref:H332/021/N with site layout drawing ref:H332/021/T).	Approved 27.02.26
23/00326/FUL	1no. industrial unit (Use Class E (g) (i-iii) and B2) including parking, access, landscaping and boundary treatments – Retrospective	Under consideration

2.20 Planning permission 20/01193/FUL has been implemented for the former Dexine Mill site, this approved *'Full application (part retrospective) for the demolition of on-site buildings including the existing mill building, the erection of 10 industrial units (E and B2 Use Classes), together with the creation of a service yard, car parking and substation; the erection of 2 dwellings (4 bedroom semi-detached units), together with the creation of parking areas for existing units and parking for proposed units and the alteration of the existing access - Resubmission of 19/00804/FUL.'*

- 2.21 The boundary treatment to the part of the application site in question was approved as a masonry wall, to the east of the industrial shed new planting was proposed between the shed and the boundary. The new planting would have been situated behind the boundary wall and therefore not visible from the public realm.
- 2.22 Non Material Amendment application 22/00832/ANM was refused as the planning department considered the changes to be 'material' in planning terms. A Section 73 application is therefore the most appropriate route for addressing this change.
- 2.23 Application 23/00326/FUL is currently under consultation. This is a retrospective application for the construction of an industrial unit (Class E) and associated, access, parking and landscaping.

3. Planning and Heritage Policy

Introduction

- 3.1 This section of the statement sets out the local and national planning policy context of relevance to the determination of this planning application. An appraisal of how the proposal relates to the key planning considerations relevant to the Site is set out in section 4.

The Development Plan

- 3.2 Section 38(6) of the Town and Country Planning Act 2004 states that applications for development should be determined in accordance with the Development Plan unless material considerations indicate otherwise. In the case of Rochdale Council, the adopted Development Plan consists of the Core Strategy (adopted 2016), saved Policies from the UDP (adopted 2006) and the Greater Manchester Places for Everyone (PfE) Plan (adopted 21 March 2024). Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) which represents a significant material consideration.

Rochdale Council Core Strategy (2016)

- 3.3 The policies of the Core Strategy which are considered relevant to the development are outlined in the following section.
- 3.4 The plan has a series of strategic objectives which are overriding, wider aims of the plan. Those that apply to the scheme are presented below:
- 3.5 SO1 – To deliver a more prosperous economy: Of particular relevance here are points 1 and 6. Point 1 involves the identifying of quality employment sites and areas to increase the

number and range of jobs, as well as to assist employment levels. Point 6 concerns building on the boroughs assets to improve its image and to attract investment.

3.6 SO3 – To improve design, image and quality of space: This objective is focused around the raising of the standard of design quality across the borough whilst also promoting sustainable developments, protecting and enhancing heritage assets and creating new identity and character.

3.7 Below are the specific policies which are relevant to the scheme.

3.8 P1 – Improving Image: This policy requires high quality design across all new developments, in particular those that are crucial to the image of the borough. This includes promoting the development and re-use of under used land and buildings. Within this is the importance of maximising the potential for heritage assets to provide a sense of place and image.

3.9 P2 – Protecting and enhancing character, landscape and heritage: This is a broad policy concerned with the protection of the unique character of the borough. The policy seeks to conserve and enhance townscape character and also protect the borough's heritage by conserving, enhancing and protecting key heritage assets, including consideration of their setting.

3.10 P3 – Improving design of new development – This policy refers to the adherence of all new developments to ensure that they have high standards of design. The policy sets out some key principles including:

- Enhancing 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.
- Incorporating design measures that design out crime and ensure developments and spaces are safe to use and access (including lighting as appropriate);

- Ensure a development is easy to move through and get around, especially for pedestrians, cyclists, public transport, disabled people and emergency service vehicles;
- Ensure that the intended functions of buildings and spaces are easily understood, and their entrances appropriately located and visible.

3.11 DM1 – General development requirements: Of relevance to the application the policy sets out that development proposals should:

- Be of high-quality design, and compatible with the surrounding land uses.
- Minimise opportunities for crime against both people and property.

Saved Policies from the Rochdale UDP (adopted 2006)

3.12 The below policy is relevant to the site.

3.13 EC3 – Mixed Employment Zones: The site is within a mixed employment zone, but not within Rochdale town centre. Within mixed employment zones, development is permitted in business uses (B1), general industry (B2), warehousing and distribution (B8) and sui generis.

Places for Everyone (Adopted March 2024)

3.14 The nine combined authorities of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan have prepared a Strategic Plan which took effect on 21 March 2024.

3.15 The PfE policies of relevance to this application are outlined below.

- 3.16 Policy JP-P1: Sustainable Places: Policy JP-P1 sets out 17 key attributes that all development should be consistent with. In respect of distinctiveness, development should have a clear identity that: A. Responds to conserving and enhancing the natural environment, landscape features, historic environment and local history and culture; B. Enables a clear understanding of how the place has developed; and C. Respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used.
- 3.17 JP-P2 Heritage: This policy outlines the document's intention to positively conserve, sustain and enhance the historic environment and heritage assets and their settings.
- 3.18 The policy 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.

National Planning Policy Framework

- 3.19 The National Planning Policy Framework (NPPF) was last updated in December 2024 and sets out the government's objectives for achieving sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development which ensures that sustainable development is pursued in a positive way.
- 3.20 Development proposals that accord with an up-to-date Development Plan should be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission should be granted unless:
- a. The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
 - b. Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 3.21 The NPPF sets out that the purpose of the planning system is to contribute to sustainable development. The chapters of relevance are set out below.
- 3.22 Building a strong and competitive economy (Chapter 6) - Significant weight is to be given to the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. This section also recognises that the plan needs to be flexible enough to accommodate needs not anticipated in the plan and allow for rapid responses to changes in economic circumstances.
- 3.23 It also recognises, in paragraph 89, that the use of previously developed land should be encouraged where suitable opportunities exist.
- 3.24 Achieving well-designed places (Chapter 12) - This chapter sets out at paragraph 135 that planning policies and decisions should aim to ensure that developments:
- a. Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b. Are visually attractive as a result of good architecture and appropriate landscaping;
 - c. Optimise the potential of the Site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks;
 - d. Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e. Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- f. 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 3.25 Conserving and enhancing the historic environment (Chapter 16): This chapter focuses on the conservation of the built environment. In particular it discusses the desirability for new development to make a positive contribution to local character and distinctiveness.
- 3.26 In paragraph 204, it states how *'When considering the designation of Conservation Areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'* Further to this, in paragraph 205, it goes on to say that local planning authorities should maintain an up-to-date historic environment record. It then notes in paragraph 206, that local planning authorities should make this information publicly accessible.
- 3.27 Paragraph 207 sets out that local authorities should require an applicant to understand the significance of heritage assets, including the contribution that is made by setting. It states, *'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.'*
- 3.28 Paragraph 208 discusses the relationship between heritage significance and impact, stating that *'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.'*

3.29 Also relevant to the consideration of the application are paragraphs 212-221 that set out the criteria for considering potential impacts upon heritage assets.

4. Planning and Heritage Appraisal

Introduction

- 4.1 It is a requirement of Section 38(6) of the Town and Country Planning Act 2004 that where a development plan contains policies relevant to an application, the decision must be made in accordance with the development plan, unless material considerations indicate otherwise.
- 4.2 The statutory development plan relating to the Application Site consists of the Rochdale Council Core Strategy, the saved UDP policies and the Places for Everyone Plan. Material considerations relating to this application include the National Planning Policy Framework and Planning Practice Guidance.
- 4.3 Having regard to the relevant planning policy guidance in the previous section, the key material considerations against which the proposed scheme should be considered, and which are discussed in greater detail in this section, concern the impact on the local historic significance and the visual impact in terms of compatibility with the surrounding streetscene and character.
- 4.4 The principle of securing a robust boundary perimeter is established via the planning history, the site being an important employment location in the local area.
- 4.5 The form of development is appropriate for the site as it is situated within the mixed employment area (see policy EC3 from the UDP saved Policies). This is in line with the NPPF which states that *'significant weight should be placed on the need to support economic growth and productivity whilst taking into account local business needs as well as wider opportunities for development'*.

Heritage

Significance

- 4.6 Following the demolition of the mill and its chimney, prior to the site's redevelopment in 2019, the site had been largely unchanged since the 1890s with the area known for its cotton production. This can be seen on the 1892 OS map where Spotland New Mill first appears, along with nearby terraced housing for the workers. Immediately adjacent to the mill was Spotland Bridge Mill, also a cotton mill and of a similar age to the one that existed on the site.



Fig 5.1 Rochdale - Lancashire LXXXVIII.4.9 Surveyed: 1890, Published: 1892 and Rochdale - Lancashire LXXXVIII.4.14 Surveyed: 1890, Published: 1892. Approx location of site is outlined in blue.

- 4.7 Except for a few remaining, heavily altered terraces fronting Primrose Street, the evidence of the mills and the cotton industry have largely disappeared from the immediate site locality. Therefore, very little, if any, historic fabric remains from this period, meaning this area brings almost no historic significance to the Conservation Area.
- 4.8 In terms of surrounding buildings and spaces, the terraces to the north are heavily altered, unremarkable and are not considered to be of the requisite quality for Conservation Area designation. Such terraces are widespread and common throughout the northwest with only a proportionately small number having Conservation Area status. The inclusion of the streets in the Conservation Area is not justified in heritage terms and undermines the concept of conservation. As evidenced by the photographic survey in section 2, the continuing designation of this area as a Conservation Area and management of development subject to such policies is a disproportionate and unjustified approach to take.
- 4.9 Also to the north is Carter's Rest which is almost immediately opposite the site at the junction of Spotland Road and Primrose Street. Carter's Rest is in a poor state of repair and part of the building is currently in use as a hot food takeaway. The windows on the building are a variety of UPVC and it is in need of extensive restoration works.
- 4.10 West of the site travelling down the hill along Spotland Road there are a couple of historic properties but the amount of altered and modern development in between means there is no coherent character or significance to speak of. On approaching the roundabout toward Spotland Road / Mellor Street / Edenfield Road / Bridgefold Road from the south, there are lots of advertisements which are not in keeping with the Conservation Area and are large and garish. There is also some UPVC panelling to a restaurant building, which is particularly harmful to the character. See figures 2.17 and 2.18.
- 4.11 It is our submission that the site and area should not be part of a Conservation Area and the Council have failed in their duty to review Conservation Area boundaries as required by paragraph 204 of the NPPF, where it states that *'the concept of conservation is not devalued through the designation of areas that lack special interest.'*

- 4.12 Therefore, there is very little discernible heritage significance on the site and in the immediate surrounding area, that could be impacted by any harm that may (or may not) be attributable to the application development. The character of the area in which the site is situated does not have the justification in terms of significance for a Conservation Area, which is required by paragraph 204 of the NPPF. This is further to the afore mentioned lack of available policy on the Rochdale Council's website. Paragraph's 205 and 206 mention this local authority expectation specifically;

'Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area.'

'Local planning authorities should make information about the historic environment, gathered as part of policymaking or development management, publicly accessible.'

- 4.13 By acknowledging the lack of significance both within the site and in the immediate surrounding area, this provides greater understanding of where the areas of significance actually are within the Spotland Bridge Conservation Area. By reviewing the Conservation Area, it would benefit and provide guidance to development proposals, thus helping to conserve, sustain and enhance the historic environment, as is set out in policy JP-P2 of Places for Everyone.

- 4.14 However, at present, the Council appear to be adopting an approach whereby they have approved numerous planning permissions to remove the main historic significance associated with the eastern part of the Conservation Area but are still applying conservation policies when the significance is no longer in existence. Such an approach is irrational, disproportionate and not reflective of national policy.

The Remainder of the Conservation Area

- 4.15 Further down Spotland Road, towards Edenfield Road and Rooley Moor Road, there is a noticeable change in the character of the area. This is marked by the mini roundabout,

once you get to the roundabout and look west, there is the Old Police Station at the top of Mellor Street, which has retained a substantial amount of historic character and is locally listed. To the north there is Spotland Bridge New Mill, which has been restored (grade II listed), and behind that is the Church of Saint Clement (also grade II listed). There are other listed buildings in close proximity also, with the landscape contributing much more positively to the Conservation Area. Any work to the houses has mostly been sensitive to the historic character of the area and it is much more reflective of the Conservation Area overall.

- 4.16 It is therefore our submission that significance of the Conservation Area in terms of its special architectural and historic interest is restricted to the areas north and west of the mini roundabout at Spotland Road, Edenfield Road, Mellor Street and Bridgefold Road.

Impact of the Proposals on Significance

- 4.17 The scheme comprises a new boundary treatment of steel railings, with a black powder coat finish on top of a low masonry wall to a height of no more than 2.4m. This extends for approximately 70m along the northern and eastern boundary of the site. There is also a proposed area of hardstanding to the east of the industrial shed. These works have a neutral impact on the heritage significance of the Conservation Area because of the lack of significance that this area now holds.
- 4.18 Since the demolition of the mill and associated buildings, the Spotland Bridge Conservation Area derives little to no significance from this section of the Conservation Area. This is because the historic significance that it formerly held was tied to the now demolished mill. Therefore, as there is no significance to have an impact on, no harm can be found.
- 4.19 As the area surrounding the site is still deemed to be part of the Conservation Area, despite the demolition of the mill in c.2019, it is unclear where the LPA believe that the significance of the Conservation Area in this particular section, is derived from. There are no plans, policies or information about where this significance is drawn from that are publicly available and so

no meaningful or informed assessment of the level of harm that these proposals could cause, can be carried out by the LPA.

- 4.20 The development is considered to be compliant with Policy P2 which seeks to conserve and enhance townscape character and also protect the borough's heritage by conserving, enhancing and protecting key heritage assets, including consideration of their setting. Given the analysis of this statement which shows the lack of historical significance associated with this site and surroundings, the development will conserve townscape character and protect key heritage assets.
- 4.21 PfE Policy JP-P2 requires particular consideration to be given to ensuring 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. The development consists of steel railings to enclose a modern industrial estate in an area of no discernible historical significance. The nature of the development and lack of historic character in the area thereby ensures that the significance of the key local elements of the historic identity of the borough are protected from harm, in accordance with PfE JP-P2.

Visual Amenity

- 4.22 In accordance with PfE Policy JP-P1, consideration of visual amenity here principally concerns the impact of the application development in respect of character and identity of the locality in terms of design, siting, size, scale and materials used.
- 4.23 This policy provision effectively ensures that all development whether affecting a designated heritage asset or not is appropriately controlled. The character of the immediate locality is overwhelmingly modern. To the east of the site, there are single storey industrial sheds fronting Primrose Street, with steel mesh fencing fronting the streetscene. Opposite the site to the northwest, low metal fencing encloses the modern bungalows fronting Spotland Road.

- 4.24 The fencing at the application site is viewed within this context and also within the context of the re-developed modern industrial development it encloses. There is also substantial mature greenery, trees and shrubbery to the north of the site and between Spotland Road. This provides some shielding of the site and adequate green space which is both well integrated and proportionate to the rest of the surrounding area. This helps to reduce the visual impact of the hard standing, as is required by policy P3 in the adopted core strategy.
- 4.25 The development respects the local context in terms of layout, materials and height and is considered to be compatible with the local character and surrounding uses. The development is thereby considered to be compliant with policies P1, P2, P3 and DM1 of the Rochdale core strategy, PfE policy JP-P1 and chapter 12 of the NPPF.

Enforceability

- 4.26 As the applicant has installed and completed the application development, the question of enforceability and whether it is expedient to take action becomes relevant. The Planning Practice Guidance sets out that local planning authorities have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material consideration.
- 4.27 The PPG guides that the provisions of the European Convention on Human Rights, such as Article 1 of the First Protocol, Article 8 and Article 14, are relevant when considering enforcement action. In deciding whether enforcement action is taken, local planning authorities should, where relevant, have regard to the potential impact on the health, housing needs and welfare of those affected by the proposed action, and those who are affected by a breach of planning control.
- 4.28 The potential impacts highlighted above are therefore intrinsic to the assessment of this application. It is not considered that the health, housing needs or welfare of any persons has been affected by the installation of the fencing and changes to the landscaping previously approved. It is thereby submitted that the impact of the development is not of

any significance that would warrant a refusal of planning permission and any subsequent enforcement action being taken.

5. Conclusions

- 5.1 This Planning and Heritage Statement has been prepared by Paul Butler Associates on behalf of our client Hallmark Developments in support of a section 73 application to cover works to the boundary of the site and minor changes to landscaping.
- 5.2 The application development is considered to be in full compliance with the adopted policies of the Core Strategy, the saved UDP policies and Places for Everyone Joint Development Plan.
- 5.3 The proposed boundary treatment is in keeping with the scale of recent development on Spotland Road and Primrose Street and is similar in character to other modern boundary treatments in the area. The statement evidences that the surrounding area does not possess any special architectural or historic interest and therefore no impact on significance is identified.
- 5.4 As evidenced in this statement, the Site has been shown to be a suitable and sustainable location for the proposed development with no known adverse impacts arising. Indeed, it is our view that no material planning considerations exist that would justify a refusal of planning permission. Consequently, the proposals are considered to constitute sustainable development as defined by the guidance in paragraph 8 of the NPPF and the presumption in favour of sustainable development should apply in the determination of the application.

6. Bibliography

- 8.1 Historic England Advice Note, (2019). 'Conservation Area Appraisal, Designation and Management.' Available at <https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/heag-268-conservation-area-appraisal-designation-management/>
- 8.2 Rochdale Borough Council, Non-Designated Heritage Assets. Available at <https://www.rochdale.gov.uk/heritage-conservation/non-designated-heritage-assets/3>

Appendix A: Map of the Spotland Bridge Conservation Area, 2013

