

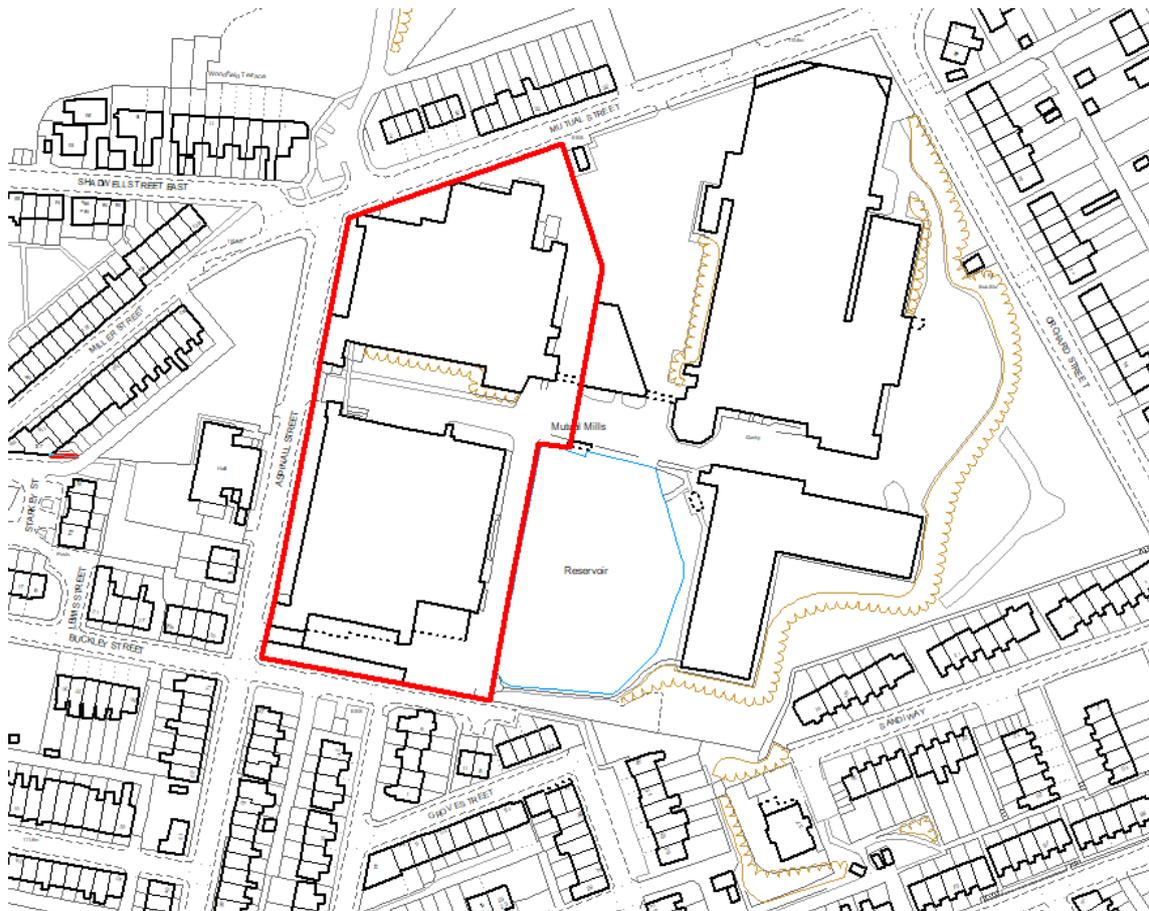
Report to Planning and Licensing Committee



Date of Meeting	6 th February 2020
Portfolio	Councillor Carol Wardle, Development & Housing
Report Author	David Allen
Public/Private Document	Public

Application: 19/00260/FUL	Township: Heywood	Ward: North Heywood
Applicant: Mandale Apartments 5 Ltd.		Agent: ELG Planning
Site Address: Mills 1 and 2, Mutual Mills, Aspinall Street, Heywood, OL10 4HW		
Proposal: Conversion and subdivision of two mill buildings (Mutual Mills 1 and 2) to create 298 apartments (Use Class C3), including works of demolition and formation of interior atria, provision of car parking at basement and ground floor levels, formation of external car parking, landscaping and associated internal and external additions and alterations		

SITE LOCATION



DELEGATION

- 1.1 The application is referred to the Planning and Licensing Committee as it is for development which comprises a departure from the Development Plan and is recommended for approval.

PROPOSAL SUMMARY

- 2.1 Full planning permission is sought for the conversion and subdivision of Mills 1 and 2 to create 298 apartments (Use Class C3), including works of demolition and formation of interior atria, provision of car parking at basement and ground floor levels, formation of external car parking, landscaping and associated internal and external additions and alterations.

RECOMMENDATION

- 3.1 It is recommended that the Planning and Licensing Committee resolves it is minded to **GRANT** planning permission subject to the schedule of recommended conditions and completion of a legal agreement to secure commuted sums towards provision of affordable housing, public open space, formal sports facilities, education, bus stop improvements and air quality monitoring.

REASON FOR RECOMMENDATION

- 4.1 The development would result in the loss of part of a long-standing, large employment site and comprises a departure from the Development Plan. The scheme's compliance otherwise with the Spatial Strategy and the identified significant and demonstrable benefits arising from the restoration, conservation and long-term security of the buildings represent material considerations which, on balance, indicate that a departure is justified in this instance.
- 4.2 The proposed development would put two key heritage assets, which are currently in a state of decline, to viable uses which would be consistent with their conservation. The identified less than substantial harm to the assets arising by virtue of the change of use and the associated physical interventions is considered to be outweighed by the public benefits of the proposal, with particular regard to the security of conservation that such viable uses delivers.
- 4.3 The development makes efficient use of the existing buildings, is acceptable having regard to living conditions, design (subject to conditions) and external layout. Requirements are met or can be met by way of condition with regards to drainage, land contamination and biodiversity mitigation and enhancement.
- 4.4 The development will increase pressure on local amenities and infrastructure; financial contributions towards provision and/or improvement of off-site public open space, formal sports facilities, education and public transport infrastructure in the vicinity of the development would serve to mitigate these impacts. The conclusions of a viability review warrant agreement to a reduction in the affordable housing contribution, subject to inclusion of a claw-back mechanism. The contributions are considered to appropriately mitigate for the harmful impacts of the development, within the confines of the viability position, and therefore the recommendation is one of approval.

SITE

The application relates to Mills 1 and 2 and surrounding land at the Mutual Mills complex on the north-eastern edge of Heywood. The wider complex is bounded by Aspinall Street to the west, Mutual Street to the north, Orchard Street to the east and Buckley Street and Sandiway to the south. The Mutual Mills complex is made up of five distinct buildings:

- Mill 1 – 6-storey 21-bay cotton spinning mill with engine house, built by 1885 - later extended *circa* 1900 to the south with a 2-storey office block, in the 1930s with a weaving shed to the east elevation, and *circa* 1940s with a further office range along Buckley Street;
- Mill 2 – 6-storey 21-bay cotton spinning mill with engine house dating to 1893-1910;
- ‘Office Block’ – 2-storey building constructed with Mill 2 and later hosting a bridge-link between Mills 2 and 3;
- Mill 3 – 6-storey 23-bay cotton spinning mill with engine house dating to 1930;
- ‘Mill’ 4 – 2-storey weaving shed dating to 1937; 2-storey extension constructed in the late 20th Century to east elevation.

Mills 1, 2 and 3 and the ‘Office Block’ are Grade II listed, having been first listed on 4th November 1996.

Mill 1 is currently used for storage and distribution purposes. Mill 2 was also last used for this purpose, but is understood to have been mothballed and, according to Business Rates records, has been vacant since at least 12th August 2014. Mill 3 is occupied by Mutual Mills Ltd. and is used for the purposes of storage and distribution. The lower floors of the block between Mills 2 and 3 is occupied by Chase Engineering and is used for light fabrication. Mill 4 is occupied by Adelaide Engineering Ltd. and is used for CNC milling and machining.

In the centre of the site is an attractive mill lodge, which is used by the Heywood & District Angling Society as a 22-peg lake and the Mutual Model Boat Society, which meets weekly to sail model boats. The remainder of the site area is occupied by hardstanding for circulation and parking provision & soft landscaping.

Surrounding land uses are predominantly residential, with terraced housing surrounding the site to the north, east and south. Aspinall Street to the west is largely residential, although west of the main entrance to the mill complex is Crimble Croft Community Centre (host to a wide variety of uses including pre-school activities, lunch clubs, educational classes and functions).

PROPOSAL

The application relates only to Mills 1 and 2 and the attached Office Block, including the immediately surrounding areas of hardstanding, and seeks planning permission for the conversion and subdivision of both mill buildings to create 298 apartments (Use Class C3). The mix of accommodation would comprise:

Mill 1 (including Office Block)	148 Apartments
	114 no. 1-bedroom
	34 no. 2-bedroom
Mill 2	150 Apartments
	126 no. 1-bedroom
	24no. 2-bedroom

A total of 348 no. parking spaces would be provided within the development; 105 of these would be within the body of Mill 1, 103 would be provided within Mill 2 and the remaining 140 would be external. In addition to this, 140 cycle parking spaces would be provided, within the basements of each building.

The proposed physical interventions to the building/site would briefly comprise:

- Works of demolition:
 - Weaving shed to east of Mill 1;
 - Loading bay to south of Mill 1;
 - Bridge link between Mills 1 & 2;
 - Single-storey projection to north of Mill 2 to the west of the engine house;
 - Later extension to Office Block on Buckley Street boundary;
 - Kiosk and WC block at site entrance;
 - Loading bay to east of Mill 2;
 - Canopy to south of Mill 1.
- Replacement windows – nine-pane timber window frames (and such openings which have been bricked-up or infilled) to be replaced with new timber-framed window units. On the car park levels, steel ventilation grilles with a wire mesh to car park openings;
- Formation of interior atria within both buildings;
- Refurbishment of existing timber windows in stair cores/towers;
- Internal subdivision on all floors except basements of both mills to create apartments, including the provision of mezzanine apartments;
- Provision of car parking at basement and ground floor levels including provision of access ramps and build-up of basement levels to provide for drainage infrastructure;
- Repairs, re-pointing and cleaning of brick and stonework;
- Provision of external car parking including a sub-surface drainage attenuation tank;
- Provision of soft landscaping.

A complementary application for Listed Building Consent for the associated works has been submitted to the Local Planning Authority for consideration in tandem (ref. 19/00261/LBC).

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

SP1 Rochdale Borough's Role in the City Region
SP2 The Spatial Strategy for the Borough
SP3/H The Strategy for Heywood

DM1 General development requirements
DM2 Delivering planning contributions and infrastructure

SO1 Delivering and more prosperous economy
E2 Increasing jobs and prosperity

SO2 Creating successful and healthy communities

- C1 Delivering the right amount of housing in the right places
- C2 Focusing on regeneration areas and economic growth corridors/areas
- C3 Delivering the right type of housing
- C4 Providing affordable homes
- C6 Improving health and wellbeing
- C7 Delivering education facilities
- C8 Improving community, sport, leisure and cultural facilities

SO3 Improving design, image and quality of place

- P1 Improving image
- P2 Protecting and enhancing character, landscape and heritage
- P3 Improving design of new development

SO4 Promoting a greener environment

- G1 Tackling and adapting to climate change
- G2 Energy and new development
- G6 Enhancing green infrastructure
- G7 Increasing the value of biodiversity and geodiversity
- G8 Managing water resources and flood risk
- G9 Reducing the impact of pollution, contamination and land instability

SO5 Improving accessibility and delivering sustainable transport

- T2 Improving accessibility

Unitary Development Plan (UDP):

G/D/1 Defined Urban Area

- EM/7 Development and Flood Risk
- EM/8 Protection of Surface and Ground Water

Supplementary Planning Documents (SPD):

Affordable Housing (March 2008)

Biodiversity and Development (January 2008/February 2017)

Guidelines and Standards for Residential Development (June 2016)

Provision of Recreational Open Space in New Housing (March 2008/January 2017)

Residential Design Guide (September 2007)

RELEVANT SITE HISTORY

- 17/00956/LBC Works to facilitate the change of use and conversion/repair of Mill no. 1 (fronting Aspinall Street and Buckley Street) and Mill no. 2 (fronting Aspinall Street and Mutual Street), including partial demolition, to create a total of 240 residential apartments, including a residents-only gymnasium, reinstatement of historic vehicular access onto Mutual Street, provision of car parking spaces and cycle parking together with associated hard and soft landscaping works - Withdrawn
- 17/00955/FUL Change of use and conversion/repair works (including partial demolition) to Mill no. 1 (fronting Aspinall Street and Buckley Street) and Mill no. 2 (fronting Aspinall Street and Mutual Street) to create a total of 240 residential apartments (Class C3), including a residents-only gymnasium (Class D2), reinstatement of historic vehicular access onto Mutual Street, provision of car

	parking spaces and cycle parking together with associated hard and soft landscaping works - Withdrawn
98/D35699	Enclosure of existing window openings with brickwork and raising height of boundary wall adjacent Buckley Street by 2.4m - Granted
98/D35698	Enclosure of existing window openings with brickwork and raising height of boundary wall adjacent Buckley Street by 2.4 m - Granted
90/D24802	Single storey extension to existing mill - Granted
80/D10845	Change of use of works canteen to offices and warehouse - Refused

CONSULTATION RESPONSES - SUMMARIES

Building Control

- Head-height to car parking/mezzanine flats – minimum head-height for these areas is 2.0m;
- There is no Building Regulations requirement to provide sprinklers in the conversion as the top floor is below the usual 30m maximum trigger;
- If car park areas do not have a natural ventilation achieved by suitable cross-flow between opposing walls, then a mechanical ventilation system will be required – the system would be designed to provide 10 air changes per hour for fire-related design purposes.

Conservation and Design

Mutual Mills is a group of 3 cotton mills dating from 1884-1914 designated as a Grade II listed building; this designation covers all buildings and structures within the site.

Concerns were raised initially in respect of detailed design elements of the scheme, as follows:

- Window replacement design & ventilation screens – uPVC replacements were initially proposed, with unsuitable trickle vent design, profile and colour treatments. Amendments to the scheme now include for installation of replacement timber windows with suitable profile;
- Atria detailing – the initial proposals for insertion of the atria included unsuitable design detailing to the new elevations and a lack of detail surrounding the proposed retention of existing building structure to the edges. Amendments to the scheme provide for suitable detail, including contemporary fenestration detailing and cladding. Retention of stone flags from the ground floors of the building is considered appropriate;
- Floor/roof removal – now retained and topped using structural cement to improve their strength. Whilst this results in less than substantial harm, public benefits are considered to outweigh the harm in the form of heritage benefits gained through retention of historic fabric. Roof to be retained and strengthened – covered with Sarnafil; not a traditional product but will act similarly to the bitumen as existing;
- Column retention detailing – improved car park barrier design has been submitted and internal dividing wall column arrangements to upper floors have been revised to ensure visibility across the floorplate of the building. Columns and framework are to be retained at first floor level in the atria;
- Internal detailing – brickwork to external walls within the residential units now retained;
- Engine house treatment – acceptable clarification subsequently provided on the proposed restoration and re-use as entrance areas;

- Cleaning brickwork and masonry – no methodology was initially provided – outline detail is acceptable, however, a condition is recommended requiring submission of full specification;
- Fire pump retention/restoration – initially proposed to be retained outside in the atria, which raised concerns around deterioration. Now proposed to be restored and moved to the engine house.

Elements which result in less than substantial harm:

- Conversion and subdivision of buildings to provide residential accommodation, although it is recognised that the internals have been previously altered and sub-divided in places;
- Mezzanine level creation - alteration of original form – justified through the retention of a void area adjacent to the outer walls of the building which allows user to experience the original height and proportions of this area of the building;
- Installation of aluminium window frames to create ventilation openings for the car park;
- Demolition of the weaving shed extending from Mill 1, however, the removal will reveal the original form of the earlier building behind which mitigates the harm.
- Construction of new access ramps and vehicular access points including provision of larger openings;
- Demolition of the bridge link between Mill 1 and 2 – harm is considered to be outweighed by the public benefit of removing a dangerous, high-level structure;
- Provision of extensive external car parking around the buildings, however, it is considered justifiable in order to meet parking requirements to facilitate the conversion.

Notable elements which will have a neutral impact on the significance of the building:

- Use of basement and ground floor levels to provide a car park will have a neutral impact as it remains as open space enabling users and visitors to experience the full scale of the building.

Notable elements of the proposals which will result in enhancements:

- Reinstatement of windows to the engine houses;
- Reinstatement of stairs and brickwork;
- Removal of the external emergency staircase structure;
- Demolition of the lean-to building on Mill 1;
- Removal of the lean-to loading bay along south elevation of Mill 1;
- Reinstatement of windows on ground and first floors;
- Repair and restoration of existing timber windows across the mills;
- Removal of roller shutters, removing modern interventions;
- Repairs, infills and cleaning of brick and stonework provided suitable materials and appropriate mortar mix are used;
- Demolition of modern, insensitive stud partition walls;
- Demolition of late 20th Century extension to the Office Block which reveals the original form of the building.

Note that the alterations proposed will cause some harm to the setting of Mill 3 (and the other designated buildings within the complex) and the change of use of 2 of the mill buildings will have an adverse impact on the group value of the designated heritage assets.

Conclude that the proposal will cause less the substantial harm to the designated heritage assets. This harm is justified and mitigated within the proposal along with being outweighed by the public benefits. Considerable public benefit will be achieved by this

scheme through the regeneration of two degrading designated heritage assets. The developed proposal has led us to achieve the most sympathetic conversion solution to deliver the optimum viable use, which will also result in public benefits in the form of heritage benefits, i.e. reinstating traditional materials and revealing original building forms.

Design for Security

No objection. Recommend that a condition to reflect the physical security specifications set out in the Crime Impact Statement should be added.

Drainage/Lead Local Flood Authority

No objection. Note that the site is located within a Critical Drainage Area and a runoff rate reduction should be sought. Initially raised concerns given no outline drainage proposals, including attenuation, were originally submitted. Following receipt of additional information, note that the proposed use of attenuation storage (underneath external car park areas) and oversized pipes with flow control would be acceptable. Recommend conditions requiring submission of a detailed drainage design prior to commencement of development, including assessment of the feasibility of providing soakaway through permeable paving (dependent on site investigation conclusions).

Regarding sewer capacity in the area - note that United Utilities will use sewer analysis methods to assess the viability of any new foul and any new surface water connection to the existing network and determine whether new investment is required on their part.

Environment Agency

No objection. Note that site is in Flood Zone 1 and recommend that LLFA drainage engineers review surface water runoff management. Reviewed the Preliminary Investigation Report and note that the past industrial land use has the potential to have resulted in contamination being present on the site. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A and located near to Millers Brook.

Agree with the PRA that there is a moderate risk to controlled waters and that intrusive site investigation is required – future reports should assess the risk to the Secondary A aquifers as well as to surface water quality. Recommend that a condition is attached requiring a detailed site investigation prior to commencement of development.

Do not believe that the use of infiltration SuDS is appropriate in this location and therefore request a condition preventing use of SuDS unless supported by an assessment of the risks to controlled waters.

Environmental Management (Public Open Space)

No objection. Note that Queen's Park is the nearest accessible public open space to the development and commuted sums may be directed towards a number of improvements projects in the park.

Environmental Management (Refuse Collection)

No objection. Space for storing bins appears suitable however if waste collection vehicle cannot get direct access to the bin room the bins would have to be presented – this will be the responsibility of the caretaker/managing agent.

Greater Manchester Archaeological Advisory Service

No objection. No archaeological desk-based assessment has been produced, and the Heritage Assessment makes no reference to any archaeological heritage interest in the buildings.

A small number of later additions are, under the proposals, to be demolished. These later additions/ structures are thought to be of negligible and low heritage value; the proposed demolition of the weaving shed will remove a building of some historic value. Note the impact of replacement windows, the creation of the central atria, the subdivision of the floorspaces to create the separate apartments and the impact on the engine house spaces. However, consider that the proposals provide an approach to enabling a future use of these important heritage assets with a degree of historically referenced design.

Recommend that a condition is attached requiring a programme of archaeological building recording, supported by background documentary research into the history of the mill buildings, the owners and workforce, the power systems used and the machinery to be preserved – to be undertaken at Historic England level 2

Greater Manchester Ecology Unit

No objection. Both Mill Buildings have been shown to support bat roosts, although these roosts appear to most likely be small low-status non-breeding roosts used by relatively common bat species. Providing mitigation and compensation measures are adopted, the development proposal will not cause long-term harm to the local nature conservation status of bats. Note the need for an appropriate protected species License to be obtained from Natural England. Recommend condition requiring a Method Statement giving comprehensive details of measures to be taken to avoid any possible harm to bats during the course of the scheme.

Barn Owls have been recorded nesting in one of the Mill buildings. It is unclear at this stage whether the Barn Owl nest site will be lost to the scheme – if possible the nest site should be retained, if not then compensatory nesting provision is required. Care will also need to be taken to avoid disturbing Owls while there are young in the nest, which would be an offence under the terms of the legislation. Recommend a condition requiring a method statement to avoid any harm to Barn Owls during the course of works.

Greater Manchester Fire Service

No objection. The existing access conditions do not cause reason for concern under Approved Document B, Volume 2, B5 – Access and Facilities for the Fire and Rescue Service.

Highways and Engineering

No objection. Note the following:

- Development is predicted to generate 112 car trips in the morning peak period – expect vehicles to immediately distribute onto different roads and different places on the transport network - do not believe the associated vehicle movements will be problematic on the transport network;
- Parking provision is acceptable, although 3% short of the target - given the close proximity of Heywood Town Centre and sustainable transport facilities such as the bus network a relaxation on maximum standards in the Core Strategy is acceptable. At present all parking bays are easily accessible, should the applicant try to squeeze more bays into the space available I believe it would compromise the function of other bays. I therefore conclude the proposed level of parking is acceptable;
- An increase in cycle parking provision was requested – this was achieved in amended plans;

- Access to the site is established and suitable. The onsite layout is fully accessible for vehicles typically associated with a development such as this. No issues anticipated in association with refuse collection.
- The existing highways layout will not be impacted upon. Do not expect any road safety issues.
- £5,000 financial contribution is recommended for upgrade to the Wild Street bus stop on Rochdale Road East (A58);
- Expect some damage will be done to the highway by traffic associated with the construction period - dilapidation survey (Aspinall St., Mutual St., Orchard St., Buckley St., Miller St. & Starkey St.) should be carried out pre-commencement and repairs undertaken at the applicant's expense upon completion or immediately in the event of emergency works;
- In respect of the Technical Note (modelling of flows through York Street/Church Street Junction) – the junction does technically reach the threshold in the PM Peak. Looking at the impact on the junction of less than 2% of flows this is highly unlikely to trigger a step change in the operational capacity of the junction. The outcome of assessing this junction for signals will most probably result in there being no requirement for signals at this junction and therefore no requirement for further assessment.

Transport for Greater Manchester

No objection. Transport Assessment, including the additional junction modelling note, has been reviewed and is considered acceptable. Recommend improvements to pedestrian facilities, crossing facilities, assessment of necessity of additional TROs, Construction Traffic Management Plan, upgrades to surrounding bus stops, and a residential Travel Plan.

Historic England

No objection. Raised initial concerns regarding the proposed removal of all internal floor structure and roof, along with the extensive replacement of windows with uPVC units. Welcomed negotiated amendments to the scheme to include retention of floors and roof structure, other than the atria, and deferred consideration of the proposals back to the Council, confirming no objection.

Natural England

No comments and refer to published Standing Advice.

Public Protection (Air Quality)/Transport Strategy Officer

No objection. Note that the site is not within an Air Quality Management Area (AQMA), however, there are a number of locations along A58 where the 40 mg/m³ objective threshold for Nitrogen Dioxide (NO₂) could be exceeded as a result of the additional traffic generated by this development – therefore requested that an Air Quality Assessment (AQA) was undertaken and submitted.

In the submitted AQA, of the 20 sensitive receptor sites assessed, one residential location, above retail development on Bamford Road, Heywood indicated an exceedance of the NO₂ National Objective threshold of 40mg/m³ by 2023 with or without the development. The increase at this location is around 0.4% in a worst case scenario, therefore rated negligible and insufficient to warrant refusal of permission and no objections are raised subject to the following mitigation:

- A Dust Management Plan is drawn up to address potential fugitive dust emission during the construction phase of the project, as part of a Construction Management Plan;

- In order to deliver the targets set in the draft GM Clean Air Plan and assist in tackling NO₂ exceedances, require the installation of Electric Vehicle Fast Charging points at all parking spaces provided as part of the proposal.
- A financial contribution to install NO_x monitoring tubes and/or Pollution Monitoring Equipment at agreed locations

Public Protection (Environment)

No objection. The submitted Preliminary Investigation Report is acceptable, although it recommends a Site Investigation, so the standard condition is appropriate.

Public Protection (Noise)

No objection. The proposed mitigation measures are suitable.

Schools Service

No objection. The site is within the Heywood Planning area for Primary capacity and within the Heywood Township planning area for Secondary Capacity.

Heywood has been under considerable pupil place pressures for several years; despite extensions at a number of schools, they are close to capacity in some year groups. Forecasts show significant shortage of Primary Reception places and from 2020 forward predicted spare spaces are too few to be able to meet required surplus of 3% in each year group. Developer contributions are therefore required for Primary places.

Secondary capacity across the Heywood area is insufficient from 2023 onwards. Predicted spare capacity is not sufficient to meet the required 3% spare capacity to manage pupil arrivals in-year. There is a severe shortage of places from 2023 to 2028 covering the last 5 years of the 10 year secondary forecast period. Developer contributions are therefore required for Secondary places.

Contributions are required for units containing 2 or more bedrooms in accordance with the below formulae:

$$\begin{aligned} \text{Primary} &- 58 \text{ units} \times 0.25 = 14.5 \times \text{£}12,320.01 = \text{£}178,640.15 \\ \text{Secondary} &- 58 \text{ units} \times 0.1 = 5.8 \times \text{£}15,400.01 = \text{£}89,320.06 \\ \text{Total contribution} &= \text{£}267,960.21 \end{aligned}$$

Strategic Housing

Strategic Housing would be satisfied with a commuted sum towards affordable housing provision, subject to the outcome of the viability appraisal. Note concerns in respect of the number of 1 bedroom flats proposed and suggest a wider range of unit size, for example some larger 3 or 4 bedroom dwellings, perhaps at upper floors to take advantage of the views across the Roch Valley would more appropriately meet the Council's Housing Strategy.

Strategic Planning

No objection. Although the application relates to a long-standing employment site, it is unallocated and is a legacy of the Borough's industrial heritage which is no longer considered suitable for modern businesses. The Employment Land Study (2008) does not identify the site within the employment land supply, as it scores poorly in the qualitative assessment suggesting that the site would be unlikely to be developed for employment purposes. In addition, consideration should also be given to the fact that the proposed draft Allocations DPD (2018) takes into account the findings of the ELS and proposed a change of use to housing.

In respect of Policy E2 – it is established that the site is not part of the employment supply and therefore the criterion around ensuring a sufficient supply of employment

land in the area is not pertinent in this instance. The remainder of criteria (g, i) seeks to understand what demand/interest has been demonstrated for the site, particularly, if it has been actively marketed and promoted as an employment site. Based on the supporting information, this has not been sufficiently demonstrated and therefore the development is considered a departure from criteria (g, i). However, given the restrictive nature of a charge on the proposed site and the legal situation, I accept that this has meant that it could not be let/sublet, only sold to allow the Pension fund to exercise their charge. Satisfied that the development also meets criteria (g, iv), as the site falls within a regeneration area which focuses on housing development.

Although the development is a departure from part of policy E2 criteria, due consideration and weight has been given to the most up to date Development Plan, the Core Strategy (2016) which complies with the aims and objectives of NPPF, and limited weight to the emerging Draft Allocations Plan. On this basis, conclude that the principle of development is acceptable.

United Utilities

In accordance with the NPPF and NPPG the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Understand that it is proposed to retain the existing connection to the public combined sewer to the west of the site on Aspinall Street. Consider that the development should deliver attenuation storage to achieve betterment. Encourage the delivery of high quality landscaping and green infrastructure, which provides opportunities for a reduction in impermeable area and a reduction in surface water discharges. Note that the existing drainage arrangements from the site are unclear, specifically with respect to the existing reservoir. Strongly recommend that the detailed design considers the potential for ingress of overland flows into the basement car park. Note that there is an absence of detailed calculations to support the proposed discharge rates within the submitted strategy. Request that SuDS retrofit opportunities are considered.

Provide detailed recommendations in respect of the drafting of the drainage condition to ensure that outstanding issues are addressed.

The Victorian Society

No objection. Initially objected on the basis of the design of the atria, the replacement of the existing windows with uPVC units. Following extensive negotiations and receipt of amended plans, confirmed that the amended proposals addressed their concerns and removed their statutory objection.

TOWNSHIP PLANNING PANEL

The application was presented to the Heywood Township Planning Panel on 2nd April 2019. Members were supportive in principle of the development, noting that the scheme would deliver housing on brownfield land.

Members noted some concerns regarding the extent of parking provision and the potential for overspill impacts on surrounding highway, the flooding potential as a result of surges in the surrounding drainage infrastructure and the protection of access to the fishing lodge pegs on the west side of the water and the lodge in general.

In respect of commuted sum payments towards Public Open Space, Members raised no objection to the principle of directing such monies towards Queen's Park.

Officer Note: An assessment of Highways matters is provided in detail below. Members were advised that the matter of rights of access to the fishing lodge would be a private matter between the relevant landowners and the angling society – contact details were provided to allow separate discussions with the developer. Nonetheless, the developer’s agent has confirmed that there are no changes proposed to access. In respect of the drainage concerns – consultation has been undertaken with the Council’s Drainage and Flooding Officer and with United Utilities. This issue is considered in full detail in the relevant analysis section below.

MEMBER REPRESENTATIONS

No representations have been received from individual Members.

PUBLIC REPRESENTATIONS

Pre-Application Stage

The developer undertook a pre-application community consultation exercise, as detailed in the submitted Statement of Community Involvement. The community consultation consisted of:

- Distribution of leaflets to *circa* 100 properties;
- Site notices erected around the site;
- Dedicated website provided with scheme and consultation details.

The developer has advised that six responses were received to the pre-application consultation; 4 supporting letters (noting that the Mills are currently an eye-sore and they would be eager for restoration to take place), 1 neutral letter (expressing concerns for local wildlife using the mill and requesting reduction in heights of trees and removal of Japanese Knotweed, which were related to an area outside of the application site) and 1 objection letter.

The objection raised a number of concerns:

- Loss of privacy and concern regarding overlooking of properties on Orchard Street;
- Highway capacity in the surroundings of the site;
- Highway and pedestrian safety, including with respect to safety of children;
- Potential for anti-social behaviour from new residents;
- Impact on ecology, in particular regarding habitats of birds, bats, owl and foxes.

Application Stage

The application was publicised by way of direct notification letters to neighbouring properties, a site notice and a press notice.

Objection Reps	8	Support Reps	3	Neutral Reps	0
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The objections received are summarised as follows:

Highways

- More people means more cars and vans – parking on Grove Street is already impossible;
- The number of trucks and builders involved in a project of this size will bring Heywood East to its knees;

- Traffic caused by this development and the proposed Crimble Mill development would cause gridlock on Orchard Street, Barley Hall Street and Aspinall Street with traffic trying to turn right onto Rochdale Road to get to the M60;
- Concerns regarding the number of apartments to be provided given the extra traffic this will produce, creating more noise and pollution;
- The positioning of the car park entrance on Mutual Street is a mistake – the area around it is already full of residents cars parked and already has congestion problems during rush hour.

Officer Response: An assessment of Highways and Air Quality matters is provided in detail in the 'Analysis' section below.

Amenity

- Mutual Mills has mill buildings to three sides of the site; the fourth side is open facing properties on Grove Street – the noise from current operations at the mill is deafening so imagine the noise from demolition and rebuild;

Officer Response: The application proposes the conversion of the existing buildings rather than demolition and rebuild. Development activities inevitably result in a degree of unavoidable disruption, however, elements may be mitigated by way of controls under a Construction Management Plan condition, as recommended. Separate controls on such activities also exist under environmental protection legislation.

- Neighbouring properties on Mutual Street will be overlooked by the residents of the proposed apartments.

Officer Response: The impact of the development on surrounding properties is considered in the 'Analysis' section below.

Heritage

- Question how the insertion of atria and performing major structural changes is in keeping with the listed status of the buildings;
- The listing of the mills notes that they have group value – the development of only two of the mills would be contrary to this reason for listing.

Officer Response: Conservation rarely entails the absolute physical preservation of a building; the vast majority of heritage assets must be adapted, without a loss of significance, to facilitate the optimum viable use of a building so that it continues to receive investment and upkeep. A detailed consideration of the impact of the development on the significance of the heritage assets is contained in the 'Analysis' section below.

Other

- Concern regarding the ability to deal with a fire at the site – there was a recent announcement that Heywood fire station was to lose one appliance;

Officer Response: Consultation has been undertaken with the Greater Manchester Fire Service, which has raised no objection to the proposed development.

- Storage of hybrid or electrical vehicles in the basement poses a fire safety risk;

Officer Response: There is no conclusive evidence that electrical vehicles pose a greater fire safety risk than conventionally fuelled vehicles. A condition is recommended requiring submission of a detailed strategy for the provision of EV charging infrastructure within the development, in order to facilitate the wider transition towards zero-emission car ownership, however, detailed considerations in respect of fire safety are not for consideration at planning stage and instead fall to consideration under Building Regulations.

- The buildings are greater than 18m in height and should come under the new Building Safety Programme to cover high-rise residential buildings;

Officer Response: Consideration of the detailed design of alterations to the building, with respect to fire safety, is carried out as part of Building Regulations approval. The scheme does not propose to utilise aluminium composite material (ACM) cladding.

- Since 2004 many properties in Heywood have flooded out internally; since then approx. 2,500 dwellings have been added to the system. Starkey Street main sewer is old and in parts has had little or no investment since that time – under no circumstances should any dwellings be added to the sewer system in Heywood as it is beyond capacity;

Officer Response: Surface water attenuation is proposed, which will result in betterment with respect to discharge of surface water flows from the site as there is no proposed increase in impermeable area. In respect of foul water flow acceptance, United Utilities will use sewer analysis methods to assess the viability of any new foul water connection to the existing network and determine whether new investment is required on their part.

- In accumulation with other consented schemes, there are too many houses in such a small area;
- The area is too small to accommodate new residents;

Officer Response: There is no ceiling on the number of dwellings to be accommodated within a specific geographic area; it is noted that the development will place additional pressures on existing infrastructure within the surrounds – developer contributions to mitigate the impact on public open space, formal sport, education and public transport infrastructure are proposed to be secured by way of a legal agreement.

- Local schools are already oversubscribed and services such as doctors and dentists already have large waiting lists.

Officer Response: The development would create additional pressures on education provision; developer contributions towards provision of additional school places are proposed to be secured by way of a legal agreement.

2 no. supporting representations have been received by the LPA, summarised as follows:

- Any investment in Heywood is more than overdue & the mills have been abandoned for decades;
- Fully support the proposal to convert to apartments – Mutual Mills played an important role in Heywood's history and now it can provide quality living for the next generation of Heywood families.

ANALYSIS

Principle of Development

1. The spatial strategy for the Borough (CS Policy SP2) seeks to focus housing delivery within the south of the borough in the Manchester fringe, including within identified regeneration areas. Housing delivery in sustainable locations around the town centre of Heywood to widen housing choice, maximising the potential of previously developed sites, and the redevelopment of unsuitable employment sites for better uses are supported by The Strategy for Heywood (CS Policy SP3/H) and CS Policies C1 and C2.
2. The site lies within the Defined Urban Area, Central Heywood Regeneration Area (as identified on Figure 7 in the Core Strategy) and comprises Previously Developed Land. The site sits approximately 0.4km to the north east of Heywood Town Centre, within a well-established residential area and approximately 250m from an identified Local Centre (York Street) and the A58 transport corridor.

Accordingly, the proposed site can be considered to represent a sustainable location for residential development.

3. It is noted that the site comprises an area of long-standing employment land, although it is not explicitly allocated as an employment zone under the provisions of the saved Unitary Development Plan Proposals Map. Nonetheless, CS Policy E2 affords protection to existing large employment sites (over 0.4ha) outside employment zones which are most suited to continued employment use, in order to ensure a sufficient supply of suitable employment land.
4. It is noted that the Council undertook Regulation 18 consultation on the draft Allocations Plan Development Plan Document in 2018. The application site forms part of the draft AL/HOU/03 allocation, which covers the entire Mutual Mills complex, and identifies a total potential for delivery of 390 dwellings. However, it is not considered that any significant weight can be attached to this matter, given the current draft status of the DPD, although it is noted that the allocations are informed by the conclusions of the Employment Land Study.
5. Criterion (g) of Policy E2 does make an allowance for development of non-employment uses including housing on existing large employment sites outside employment zones where:
 - i. There is a proven lack of demand for the site for a suitable employment use, it's not suited in land use terms to any employment use and there is a satisfactory employment land supply in the area; and
 - ii. It would not impact on the ability of existing businesses to operate satisfactorily.
6. Development proposals are also expected to meet additional requirements under criteria (g) iii. to vi. In this respect it is considered that the proposed development would help support the delivery of regeneration proposals in a priority regeneration area and therefore fulfils criterion (g) iv.
7. In looking at criteria (g) i.; it is noted that the applicant has been unable to provide evidence to demonstrate historic active marketing of the site for employment purposes and therefore is unable to comply with part of criterion (g) i., in part due to a restrictive charge on Mill 2 in favour of the pension fund of a former occupying business (although it must be noted that this is a private interest and may not be considered to constitute a material consideration in the determination of the application).
8. However, turning to the Rochdale Employment Land Study (DTZ; July 2008), within which the Mutual Mills site is considered under a qualitative desk-based assessment of large unallocated existing employment sites. Mutual Mills attracts a score of 51/110, with the assessment notably scoring the site poorly for 'Market Attractiveness' (at 21/50) adding that sites such as historic mills within densely developed residential areas, are "*generally not ideal for more modern businesses*". The site does not, therefore, comprise part of the identified employment land supply for the Borough.
9. The site does not lend itself to intensive commercial or business uses given the physical make-up of the site and buildings and their proximity to surrounding residential land uses. The applicant notes issues in respect of long-term vacancy on the site; whilst it is noted that Mill 1 is still in operation as a storage and distribution facility, Mill 2 has been vacant since at least late 2014.

10. As considered in detail in the relevant analysis section below, the submitted Noise Impact Assessment satisfactorily demonstrates that residential development could be accommodated alongside the retained employment uses across the wider site and it is considered the development would not prejudice the continued operation of these businesses.
11. The development would technically comprise a departure from the Development Plan, in light of the inability to demonstrate a clear lack of demand for the site for employment purposes. However, it is noted that the development otherwise complies with the spatial strategy set out within the Core Strategy and development of the site for residential purposes would meet expectations of the NPPF, particular paragraph 118, with respect to ensuring that decisions give substantial weight to the value of using suitable brownfield land within settlements for homes and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.
12. The development would make a significant and valuable contribution towards housing supply in the Borough on a previously developed site, would support the delivery of regeneration proposals in Heywood and otherwise complies with the direction of the Spatial Strategy set out in the Development Plan.
13. The development would also provide for the delivery of an optimum viable use for two key heritage assets, currently subject of significant and rapid decline in their physical condition, arising as a result of being used for a sub-optimum storage and distribution use and being mothballed/vacant. The benefits arising from the restoration, conservation and long-term security of the buildings should be afforded great weight, in accordance with paragraph 193 of the NPPF.
14. On balance, in light of the above examination, it is considered that material considerations, including other relevant policies of the Development Plan itself and the National Planning Policy Framework, indicate that a departure from the Development Plan, in accordance with S38(6) of the Planning and Compulsory Purchase Act, is justified in this instance, particularly given that the redevelopment of the site would not prejudice the Borough's employment land supply, which is the objective of the relevant policy itself.

Design, Appearance & Impact of Development on Listed Buildings

15. Mutual Mills is a group of three cotton mills dating from 1884 – 1914, designated as a Grade II listed building and this designation covers all buildings and structures within the site. The application site encompasses the two earliest mill buildings, a circa 1930 weaving shed and the southern office block. Mills 1 and 2 are currently underutilised or vacant and are subsequently falling into disrepair.
16. The NPPF requires that planning authorities take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Change of Use & Sub-Division

17. The application proposes the change of use of the buildings from industrial warehouses to residential; the change of use and resultant sub-division to create individual units of accommodation will cause less than substantial harm.
18. The inclusion of mezzanine levels within the ground floor apartments will also result in less than substantial harm through alteration of original form. This harm is justified through the retention of a void area adjacent to the outer walls of the building which will enable building users to experience the original height and proportion of this area of the building.
19. Changing the use of the basement and ground floor levels of the building to provide a car park, subject to appropriate detailing, is considered to have a neutral impact upon the interior of the building, as this area will remain as open space enabling residents and visitors to experience the full scale of the floorplate. The new access ramps and enlarged openings to facilitate access to the car park levels would cause less than substantial harm, however it is noted that this is necessary in order to facilitate sufficient parking provision to enable the viable use itself.

Windows

20. One of the most notable elements of the development will be the replacement and reinstatement of the 9-pane windows across all main elevations of Mills 1 and 2. The reinstatement of the window openings on the ground and first floors (which have been previously bricked-up) throughout both mills would comprise an enhancement by virtue of re-instating the original form of the mill buildings.
21. The application as originally submitted proposed that uPVC windows would be installed throughout; objections were raised by the LPA, Victorian Society and Historic England. Following a prolonged and extensive period of negotiation, this proposal has been amended and timber windows, with a suitable profile and appearance, are now to be installed. The installation of aluminium window frames covered in wire mesh to create secure vents for the car parking areas would cause less than substantial harm to the assets. The proposals for the site also include for the repair/restoration of existing timber windows within the mill towers, an element which is welcomed and supported.

Atria

22. The development proposals include the formation of a central atrium within each mill building, required to facilitate the residential conversion having regard to the deep floorplate of the buildings. It is considered that this work would cause less than substantial harm to the buildings, however, this provides an innovative solution to make efficient use of the floorplan and responds to the critical constraint arising from the physical make-up of the structures. Amendments to the scheme secured by way of negotiation with the applicant provide for suitable finishing detail, including contemporary fenestration design and cladding. Retention of stone flags from the ground floors of the building for their re-use at the base of the atria is considered appropriate

Demolition

23. The development includes the demolition of a number of extension structures and other accoutrement.
24. The demolition of the industrial lean-to building on the south east corner and the lean-to loading bay extending along the south elevation of Mill 1 would constitute an enhancement, revealing the original form of the building. Removal of external emergency exit staircases and roller shutters on both mills would comprise an

enhancement, revealing their historic form and removing later interventions which distract from the elevations. Similarly, the removal of modern stud partition walls through the buildings will be an enhancement.

25. Demolition of the weaving shed to the east of Mill 1 would cause less than substantial harm to the heritage asset, by virtue of removing part of the asset and an element which visibly reveals the story of the evolution of the mills. However, it is noted that this aspect of the proposal would reveal the original form of the earlier building, which provides some mitigation for the identified harm.

Engine Houses

26. The engine houses are amongst the most impressive and significant elements of the buildings. The reinstatement of the window openings in the engine houses and the repairs to the external stairs and brickwork will result in an enhancement of the assets, through restoration of the building. The engine houses are to be integrated into the scheme and repurposed as entrance halls. An historic fire pump, within the basement of the building, which is of particular significance is to be restored and relocated to the engine house of Mill 1.

Column Retention/Detailing

27. One of the most important elements of the building, with respect to understanding the construction, nature, scale and use of the mills, is the supporting columns which permeate both mill buildings. Columns are to be retained in their entirety across the basement and ground floors of both mills and suitable protection measures are now proposed to prevent damage from vehicle strikes. Negotiations with the applicant have given rise to submission of amended proposals which provide for suitable retention of columns on the upper floors of the mills, with retained runs of columns visible along the length of circulation corridors to ensure the historic features remain visible to building users.

Heritage Summary

28. It is noted that the external alterations proposed will cause some harm to the setting of Mill 3 (and the other designated buildings within the complex) and the change of use of 2 of the mill buildings will have an adverse impact on the group value of the designated heritage assets.
29. The proposal will cause less the substantial harm to the designated heritage assets. This harm is justified and mitigated within the proposal along with being outweighed by the public benefits. Considerable public benefit will be achieved by this scheme through the regeneration of two degrading designated heritage assets. The developed proposal has led to the most sympathetic conversion solution to deliver the optimum viable use, which will also result in public benefits in the form of heritage benefits, i.e. reinstating traditional materials and revealing original building forms.
30. The public benefits of the proposal are considered to outweigh the harm that the scheme would cause. Accordingly, taking into account the duty under s66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal is considered to comply with Policies P1, P2 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Amenity Standards for Future Occupiers

Noise

31. The only vehicular access to the Mutual Mills site is via the existing main entrance at the western edge of the site onto Aspinall Street, between the north elevation of Mill 1 and the south elevation of Mill 2, with alternative historic access points now long closed. The application is accompanied by a Noise Impact Assessment (NIA). The report details ambient and maximum noise levels measured on site, and considers implications for building design to achieve acceptable internal noise levels.
32. It is understood that Mill 3 (used for storage & distribution) only operates 0730 to 1700 Monday to Friday, however, it is noted that there are no planning or other relevant restrictions on hours of use and operation. 'Mill' 4, the 1930s weaving shed, is operated on a 24/7 basis by Adelaide Engineering, although it is understood that there are generally no HGV movements on site at night.
33. Whilst the mill lodge/reservoir on site is used on occasion by the Mutual Model Boat Society, the NIA notes that the club's website states that fast electric powered craft are not permitted and the report does not consider potential noise from this source further.
34. The NIA contains noise level measurements taken at four locations around the site during daytime and night-time hours. Daytime ambient noise levels ranged from 50-55dB_{L_{Aeq, 15min}}, with the noise climate described as a combination of distance road traffic and noise breaking out of the external envelope of Mill 4. Night-time ambient noise levels ranged from 41 to 43L_{Aeq, 10min}, with maximum noise levels no greater than 48dB_{L_{Amax}}, comprising a combination of noise from Mill 4 and distant road traffic. The NIA notes that there were no specific noise sources associated with Mill 4, e.g. extract or intake fans, with noise break-out being via the entire building envelope. No noise levels were taken for HGV movements on site, though comparable values have been used from HGV pass-bys on similar sites and the assessment includes a robust assessment including a potential scenario by which HGVs access the site at night as well as during the daytime, including up to 6 HGV movements on the access road between the mills during an hour period.
35. The NIA details agreed noise levels limits for the proposed apartments, in accordance with British Standard and WHO levels, including a -3dB correction for the distinctive noise from the industrial units. The assessment concludes that mitigation measures would need to be provided on all elevations to living rooms and bedrooms in order that windows could be closed and internal noise level limits are maintained, though there would be some exceedances, even when providing double glazing and acoustic trickle ventilators to bedrooms overlooking the access road, in respect of bedrooms overlooking the access road.
36. The scheme proposes that all existing 9-pane windows are replaced (or re-instated in cases where existing openings have been bricked-up or infilled with panels) and it is proposed that timber units are installed. A detailed window design for the 9-pane windows has been submitted to and agreed by the LPA. The NIA provides recommendations for appropriate glazing specification (36 dB R_w and 32 dB R_w+C_{tr.}); subject to an appropriate condition requiring installation of glazing to this specification, it is considered that suitable amenity standards can be achieved for future residents.

Living Conditions

37. Policy C3 of the Core Strategy requires that new homes are designed and built to appropriate densities and are of a high standard of design and layout, whilst ensuring efficient use of land. The Council's *Guidelines & Standards for Residential*

Development SPD sets out a requirement (section 4.10) that a good standard of amenity be provided for future occupants when considering applications for change of use of buildings.

38. It is noted that a number of the one-bedroom units within the proposed development would be tight on footprint, with the smallest units being only 430sq.ft; this equates to 39.9m². In terms of assessing the suitability of the size of the apartments, a suitable comparative is the '*Technical housing standards - nationally described space standard*'. The document has not, however, been adopted in the Local Plan and the weight which may be attributed to the standards is therefore limited. The standards set out that 1 bedroom 2 person single-storey dwellings should be a minimum of 50m². A number of apartments would therefore fall some 10m² below this standard. However, it is noted that the quantum of development of this challenging conversion scheme is dictated by the available footprint of the historic building and the viability challenges in delivering a sufficient number of units to ensure that the development costs are met by the end sales value of the scheme. The internal layout of the scheme has been largely dictated by the significant depth of the buildings, the resultant need to create the atria in the centre for provision of natural light, with sufficient separation distance between facing windows across the atria, and the need to then provide apartments set around a central 'ring' circulation corridor. Accordingly, it is not considered that an increase to the footprint of the apartments would be feasible and the benefits of the scheme overall are considered to outweigh the harm arising from the shortfall against the non-adopted standard.

Impact on Surrounding Properties

39. In respect of the impact of the development on surrounding land uses, the predominant concern is with respect to separation distances to existing surrounding residential properties. Whilst there would be elevated levels of activity associated with the site, arising from the comings and goings of residents, it is not considered that this would give rise to adverse amenity impacts for surrounding neighbours by way of noise and disturbance given the acoustic context, noting in particular that the main vehicular entrance/egress point on Aspinall Street is somewhat separated from surrounding properties by virtue of the area of greenspace to the west of Aspinall Street.
40. It is noted that the site sits within a predominantly residential area surrounded by rows of terraced properties. No changes are proposed in respect of the scale and massing of the building, except for elements of demolition, and therefore there would be no change with respect to sunlight/daylight provision or the potential for overbearing impact from the structures themselves.
41. In respect of the relationship between Mill 2 and the properties on the northern side of Mutual Street, the minimum separation distance between the facing elevations (with the exception of the engine house which would not form habitable space) stands at 24.3m.
42. The separation from the south elevation of Mill 1 to the new dwelling at land north of 82 Aspinall Street would stand at 19.6m (from the stair tower) and 25.5m (from the main body of the building). The separation from the south elevation of the 'Office Block' to the new dwelling at land north of 82 Aspinall Street would stand at only 8.7m, however it is noted that the side gable of the new property adjacent no. 82 contains windows serving only bathrooms and a landing and there would therefore be no adverse impact on the privacy of neighbouring occupiers.

43. The separation distance to the properties at nos. 73 and 77 Aspinall Street, opposite the west elevation of Mill 1, stands at 19m – whilst this falls marginally below the 21m standard, given the sense of separation provided by the intervening highway, and the fact that the first two levels of the mill would be given over to internal parking, it is not considered that the development would give rise to a loss of privacy to the extent that would warrant refusal of permission.
44. The separation distance from the front elevation of the 'Office Block' to the gable of the property at no. 33 Buckley Street would stand at 13m, however, it is noted that the gable of no. 33 contains only secondary windows and, given the sense of separation provided by the intervening highway, it is not considered that the development would give rise to a loss of privacy.
45. In respect of the remaining elevations of the mills, it is noted that they would face into the site itself and therefore only share a relationship with existing commercial buildings. Accordingly, it is not considered that the development would give rise to adverse amenity impacts for surrounding occupiers and would accord with Policy DM1 of the Core Strategy and the National Planning Policy Framework.

Highways and Access

Accessibility

46. It is noted that the site is located within an existing, well-established residential area and consequently, pedestrians are relatively well catered for outside of the site boundary with footways on both sides of the carriageway on Mutual Street and Aspinall Street. There are two pedestrian accesses via Aspinall Street, one to the south of Mill 1 through the Office Block archway and the second running directly between Mills 1 & 2., although it is noted that the second pedestrian access would be shared with vehicular traffic, with no clear segregation provided – no detail of hard landscaping and surfacing is being approved at this stage, and therefore conditions attached requiring further detail provide the opportunity to make use of contrasting surfacing to delineate pedestrian routes.
47. A third pedestrian and cycle access is provided to the north of Mill 2, on Mutual Street, assisting with access to a number of cycle routes, including the traffic free route to the north of Mutual Street which links into routes through Queen's Park and onwards through the Roch Valley and the Chadwick Lane route to the south east providing access to Castleton and beyond.
48. In respect of access to shops and services, the site sits approximately 0.4km to the north east of Heywood Town Centre and approximately 250m from an identified Local Centre (York Street) to the south. Accordingly, residents would have access on foot to a range of appropriate facilities. Existing signalised pedestrian crossings are provided along the A58, approximately 150m east and 250m west of the Aspinall Street/A58 junction, ensuring that pedestrians accessing Heywood centre and shops and services (including the Aldi east of the site at Bradshaw Street) may cross the strategic road network safely.
49. Consultation has been undertaken with the Greater Manchester Fire and Rescue Service, who note that the existing access conditions do not cause reason for concern. In respect of refuse storage and collection, it is noted that integrated bin storage is proposed for both mill buildings. The submitted swept-path analysis demonstrates that the site could be appropriately serviced by refuse collection vehicles. The proposed bin stores are located adjacent to the central access track

between Mills 1 and 2 and may be serviced using the level vehicular access at Mill 1 and the ramp to Mill 2.

50. In light of the gradient of the ramp to Mill 2, the Council's Environmental Management section has noted that it will be the responsibility of the managing agent to ensure the bins are presented for in the correct place for collection. No provision is made within the site layout for the presentation of bins at surface level within the site and given the constrained width of the access route the presentation of a substantial number of bins would result in conflict for vehicular traffic and a detrimental visual impact; it is therefore recommended that a condition is attached requiring approval of a refuse collection management plan.

Public Transport Access

51. The nearest bus stop is immediately adjacent the site on Mutual Street, although this only provides access to the limited 475 service to Hopwood, Heywood centre, Fairfield Hospital and Bury. Approximately 340m to the south are further bus stops on Rochdale Road East (A58) served by the 471, 768 and 781 services. The 471 provides regular access to Rochdale, Heywood town centre, Bury and Bolton. The 768 is a school service providing a link to Siddal Moor Sports College and the 781 provides a link to Cardinal Langley High School.
52. Accordingly, it is considered that residents of the development would benefit from access to sustainable public transport in the form of bus services within an acceptable walking distance from the site itself. It is noted, however, that one of the bus stops (Wild Street) which would serve residents of the site is lacking a shelter facility, which may discourage uptake of sustainable transport measures. It is therefore considered appropriate to seek a contribution towards improvement of public transport facilities, as recommended below.

Impact on Surrounding Highway Network

53. The development would take its primary vehicular access from Aspinall Street, via an existing access point between Mills 1 and 2. Aspinall Street is approximately 400m long, running north-south from the junction with Mutual Street to the north and the A58 to the south. Aspinall Street is the minor approach to a staggered crossroads arrangement with the A58 and the A6047 (Rochdale Road connecting to Manchester Street). The A58 Rochdale Road East and York Street run broadly east-west and form a key route to Bolton, Bury and the M66 Junction 2 in the west and Rochdale in the east. The A6047 provides a link to Manchester Road, which provides a route to the south of Heywood, towards the M62 Junction 19.
54. The submitted Transport Assessment (TA) contains an analysis of accident data in the vicinity of the site within the most recent 5-year period. The data suggests that there are no specific locations or years that exhibit a sharp increase in the magnitude or concentration of accidents, the maximum number being three in any given year (clustered around the Esso fuel station on the A58). No objections are raised to this conclusion by the Highway Authority.
55. The TA contains potential additional trip generation figures (based on person trip rates as advised by Transport for Greater Manchester (TfGM)) and considers the distribution of these trips on the surrounding highway network. This applies a modal split (based on method of travel to work data for the surrounding area) to the trip rates to determine the likely trip generation associated with the development. The development is anticipated to generate 181 two-way person trips in the AM peak hour and 184 two-way person trips in the PM peak hour. When the mode split is applied to the person trip generation, it is anticipated that there will be some 112

two-way vehicle trips in the AM peak hour and 115 two-way vehicle trips in the PM peak hour. No objections are raised in respect of these calculations by the Highway Authority or TfGM.

56. In respect of trip distribution, baseline traffic counts were undertaken at significant junctions within the vicinity of the site and trips associated with the development proposals distributed on the highway network in line with observed turning movements. It is expected that the majority of trips would pass through the Aspinall Street and A58 junction with, in a worst-case scenario, a 7.6% uplift in vehicular movements in the AM peak and 6.9% in the PM peak.
57. In looking at the A58 York Street/Market Place/Bamford Road junction to the west, queries were initially raised by TfGM with respect to proposed vehicle flows. As a result, a further modelling note identifying the percentage uplift in vehicle flows (1.4% in the AM and 1.7% in the PM) as a consequence of the development was submitted and considered by TfGM and the Highway Authority; on the basis of this further information it was determined that no further modelling was required.
58. The TA assesses the impact of additional trips on the network at the entrance of the site onto Aspinall Street and the junction of Aspinall Street/A58 York Street/A6047. Junctions 8 modelling software has been used to predict the Ratio of Flow to Capacity on each approach/turning movement and the resultant traffic queue length. In the base scenario, the site access/Aspinall Street junction is anticipated to operate well within capacity in all peak periods with negligible queuing. With the addition of development trips, the junction is anticipated to continue to operate within capacity in both peak hours. In the base scenario, the Aspinall Street/A58/A6047 junction is anticipated to operate well within capacity in all peak periods with a maximum queue of 1.18. With the addition of development trips, the junction is anticipated to continue to operate within capacity in both peak hours, with a maximum queue of 1.58 vehicles. The junction assessment share has been verified by TfGM and is considered acceptable; similarly, no objection to the conclusions has been raised by the Highway Authority.
59. In light of the above analysis it is considered that the proposed development will not give rise to severe residual cumulative impacts on the surrounding highway network and no mitigation is identified as being necessary.

Parking Provision

60. A total of 348 no. parking spaces would be provided within the development; 105 of these would be within the body of Mill 1, 103 would be provided within Mill 2 and the remaining 140 would be external. In addition to this, 140 cycle parking spaces would be provided, within the basements of each building.
61. The Authority's maximum car parking standards are set out in Core Strategy, and would attract a maximum car parking requirement of 416 spaces, calculated as follows:
 - 240 no. 1-bedroom apartments – 1.25 spaces per dwelling – 300 spaces
 - 58 no. 2-bedroom apartments – 2 spaces per dwelling – 116 spaces
62. The car parking provision therefore sits at a shortfall of 68 spaces, or 16%, against the maximum CS requirement. However, it is noted that this is a maximum standard and the provision must be considered within the overall context of the site, including proximity to Heywood Town Centre and potential access to alternative, sustainable transport. The Highway Authority has stated that they would ideally look for a provision of 358 spaces within the development; the proposed provision

is only a 3% shortfall when compared to this figure. Accordingly, they consider that the proposed parking provision is acceptable and that to attempt to shoehorn further parking provision into the site would compromise the function of other bays.

63. The Authority's minimum cycle space standards are set out in Core Strategy, and would attract a minimum cycle parking requirement of 60 spaces, calculated as follows:
 - 240 no. 1-bedroom apartments – 1 space per 5 dwellings – 48 spaces
 - 58 no. 2-bedroom apartments – 1 space per 5 dwellings – 12 spaces
64. In order to compensate for the marginal shortfall in vehicle parking provision, it was recommended that the cycle parking provision was increased accordingly; amended plans were received including provision of 140 spaces.
65. It is recommended that an appropriate proportion of car parking spaces within the development are equipped with electric vehicle charging capacity; this matter could be resolved by way of an appropriate condition.

Ecology & Biodiversity Impacts

Bats

66. All bat species, their breeding sites and resting places are fully protected by law – they are European Protected Species. A preliminary roost assessment notes that both buildings are considered to have moderate potential for roosting bats and accordingly made recommendations for additional survey work (emergence and re-entry surveys). Activity surveys were duly undertaken; bats were observed emerging from both mills, with one confirmed bat roost on the northern elevation of Mill 1 (near to the wooden bridge walkway) and two confirmed bat roosts in Mill 2 (3rd floor tower on the western elevation). It is noted that the adjacent office building connected to Mill 2 also contains a confirmed bat roost, although this falls outside of the development site.
67. The identified bat roosts are likely to be affected by the works, and their removal is proposed. Suitable mitigation/compensation measures under an appropriate licence from Natural England would therefore be required. Regulation 3(4) of The Conservation (Natural Habitats, &c.) Regulations 1994 requires that every competent authority in the exercise of any of their functions, shall have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. As all bats are European protected species, in order to discharge the LPAs duty under the Regulations, it is necessary to consider whether it is likely that Natural England would grant a licence.
68. Consultation has been undertaken with Natural England, however, they have raised no comment and directed towards their standing advice. Similarly, consultation has been undertaken with the Greater Manchester Ecology Unit which has raised no objection subject to adoption of suitable mitigation and compensation measures.
69. Accordingly, the LPA must consider whether the proposal will meet the three legal tests (licensing criteria), as set out in the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations), to make sure that:
 - a) There is a genuine need and a 'purpose' for the proposed activity (public interest test);
 - b) There is no satisfactory alternative to delivering and meeting the need that will cause less harm to the species;

- c) The activity doesn't harm the long-term conservation status of the species.
70. In this respect, it is noted that the development will deliver significant public benefits of a social and economic nature, by virtue of the delivery of housing within a regeneration area and securing the optimum viable use for and conservation of listed heritage assets currently in a state of decline. It is not considered that there is a satisfactory alternative to the proposals and in respect of mitigation, it is proposed that a temporary bat box will be installed on site for the duration of works, soft demolition under the supervision of a licensed ecologist will be undertaken, works will avoid hibernation season and 6 bat bricks will be installed for long-term habitat provision. Appropriate conditions are recommended requiring the completion and submission of an appropriate method statement and full detail of mitigation measures.

Nesting Birds – Barn Owl

71. All wild birds (with only minor exceptions) and their nests are protected under the Wildlife & Countryside Act 1981 (as amended). Birds listed on Schedule 1 e.g. Barn owls are afforded a greater level of protection. A Barn Owl Assessment Report inspection of Mill 1 revealed up to four barn owls using ventilation ducting on the northern elevation of the 5th floor. The only other bird signs in Mill 1 were that of feral pigeon in the water tower area.
72. The inspection of Mill 2 revealed that it was unsuitable for roosting and breeding barn owl. The internal inspection again identified the presence of feral pigeon. Whilst a kestrel was heard during the inspection, the report author considers that the sound may have come from the roof top – kestrel were observed locally during the bat activity surveys. The electricity substation adjacent to Mill 2 was also surveyed and considered unsuitable for roosting or breeding barn owl.
73. It is unclear at this stage whether the barn owl nest site will be lost to the development – the Ecology Unit notes that the nest site should be retained if at all possible. However, if the nest site cannot be retained then compensatory nesting provision will need to be supplied close to the current nest site and care taken to avoid disturbing Owls while there are young in the nest. They recommend that a condition is attached requiring submission of a method statement giving comprehensive details of measures to be taken to avoid any possible harm to barn owls during the course of works; this is reflected in the recommendation below.

Mill Lodge & Great Crested Newts

74. An 'eDNA report' and Habitat Suitability Index (HSI) Survey for Great Crested Newt (GCN) were submitted in support of the application. The eDNA assessment contains the results of screening of the mill lodge for signs of GCN DNA – the assessment was negative i.e. GCN were absent. The HSI survey report contains the results of HSI scoring – the HSI score was 0.408 indicating that the mill lodge is of poor suitability to support GCN. These reports have been reviewed by the Greater Manchester Ecology Unit, which has raised no objections to the conclusions of the reports. Accordingly, it is considered that development would be unlikely to impact on GCN.
75. Nonetheless, mill lodges are identified as a Priority Habitat for Conservation in Greater Manchester – accordingly, the lodge should be protected from potential encroachment or pollution that could be caused in the course of conversion works; this could be suitably addressed through a suitable Construction Method Statement condition. An understanding is also required of the drainage connections on site to

ensure that surface water drainage from car parking areas etc. would not adversely impact on the ecological value of the pond.

76. It is noted that the site investigation report has identified the presence of Japanese Knotweed, an invasive plant species, within the site. It is considered that this could be suitably mitigated by way of a condition requiring submission and implementation of an appropriate management plan.
77. Subject to application of the recommended conditions it is considered that the proposals would meet the requirements of Policies G7 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Flood Risk

78. The site is located within Flood Zone 1 (land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding), however it is located within the Heywood Critical Drainage Area as defined by the Bury, Rochdale and Oldham SFRA (November 2009).
79. It is noted that the Heywood Township Planning Panel and public representations have raised concerns regarding the potential impacts of the scheme on existing United Utilities sewer infrastructure within the vicinity of the site, given previous surface water flood events across Heywood.
80. Whilst control over sewerage infrastructure and connections for discharge of foul water from a development rests with the relevant statutory undertaker (in this case United Utilities), the National Planning Practice Guidance establishes the definition of 'flood risk' for the purposes of the NPPF and explicitly includes risk from all sources of flooding, including from overwhelmed sewers and drainage systems. The Bury, Rochdale and Oldham SFRA (November 2009) – notes that there are 'known capacity problems in the sewer network, which may cause sewers to surcharge more frequently and increase the incidence of surface water and sewer flooding'. The SFRA seeks to reduce flood risk both to and from new development and encourages the use of Sustainable Drainage Systems to reduce current site discharges from previously developed sites.
81. The application is accompanied by a Flood Risk Assessment and Drainage Strategy (FRA) which looks at potential flood risk to the site, the impact of the proposed development on flood risk elsewhere and measures to mitigate such risk.
82. The site generally slopes towards the north-west with levels falling from 113.31m AOD in the south-eastern extent of the site to a low of 110.20m AOD at the north-western boundary. There is a 900mm public combined sewer located in Mutual Street north of the site flowing eastwards which is joined by a combined sewer to the west of the site on Aspinall Street which flows northwards.

Fluvial Flooding

83. In respect of potential fluvial flooding, it is noted that there are three watercourses within the vicinity of the site, Millers Brook, Roecre Brook and the River Roch. There are no records of fluvial flooding at or near the site and given the location in Flood Zone 1 it is considered that there is a low risk of flooding from these sources.

Sewer Flooding

84. The FRA notes that there is no record of sewer flooding within the immediate vicinity of the site but, that there have been several records of sewer flooding north-

east and south of the site. On this basis, the report considers that the risk of sewer flooding at the site is low. In respect of the impact of the scheme on existing properties downstream, whilst the volume of foul water discharging from the site will increase, the proposals now include for surface water attenuation and flow control, which will reduce the volume of surface water discharging from the site to the combined sewer. As noted by the Council's drainage engineer – foul water acceptance is the responsibility of United Utilities and their legal responsibilities surrounding the matter are set out by virtue of the Water Industry Act.

Artificial Sources of Flooding

85. The primary potential artificial source of flooding to the site is the mill lodge to the east of Mill 1. The FRA surmises that because the site levels are elevated relative to the mill lodge bank levels that there is no potential for a breach and therefore there is no risk of flooding from artificial sources. The Council's Drainage Engineer has undertaken a site assessment, including locating the inlets and outlets of the mill lodge and is satisfied that the lodge does not pose a risk to the proposed development.

Surface Water (Pluvial) Flooding & Surface Water Treatment

86. In respect of risk of flooding from surface water, the FRA makes reference to EA risk mapping, which determines that the majority of the site is at 'very low' risk and the periphery is 'low' risk. However, as noted above, the site lies within a Critical Drainage Area designated at a local level on the basis of historical flood events and/or modelled data.

87. The drainage strategy considers the potential for alternative surface water discharge methods and dismisses the potential for soakaway given the inability to achieve an appropriate easement from the building and the potential for discharge to a watercourse given that the nearest, Millers Brook, is some 147m north-west of the site with third-party land intervening. Accordingly, it is proposed to discharge surface water into the public combined sewer west of the site on Aspinall Street.

88. In accordance with the findings of the FRA, a drainage strategy has been submitted to the LPA, which proposes attenuation storage for surface water runoff using a tank and oversized pipes with flow control provided by vortex controls. This methodology is considered by the Council's Drainage and Flooding Engineer to be acceptable. They note that if further ground investigations do not preclude the provision of permeable paving for car-parking spaces, attenuation volume storage requirements may be reduced. Concerns have been raised by United Utilities with respect to the level of detail available at present and the lack of detailed calculations to justify discharge rates – although they have expressed a preference that the information is submitted prior to decision, they have made recommendations with respect to the drafting of the drainage condition; subject to inclusion of such a condition, it is considered that the concerns raised may be suitably addressed through submission of a detailed scheme post-decision.

89. Conditions are recommended requiring the submission of a detailed drainage strategy for approval. Subject to application of such conditions, it is considered that the development complies with Policies G8 and DM1 of the adopted Rochdale Core Strategy, saved Policy EM/7 of the Rochdale Unitary Development Plan and the National Planning Policy Framework.

Air Quality

90. The development site is located within close proximity of two designated Air Quality Management Areas (AQMAs) on York Street and Rochdale Road East (A58) where the 40 mg/m³ objective threshold for Nitrogen Dioxide (NO₂) could be exceeded as a result of the additional traffic generated by development.
91. In the submitted Air Quality Assessment, of the 20 sensitive receptor sites assessed, one residential location, above retail development on Bamford Road, Heywood indicated an exceedance of the NO₂ National Objective threshold of 40mg/m³ by 2023 with or without the development. The increase is at this location is around 0.4% in a worst case scenario, therefore rated negligible and insufficient to warrant refusal of permission and no objections are raised subject to the following mitigation:
- A Dust Management Plan is drawn up to address potential fugitive dust emission during the construction phase of the project, as part of a Construction Management Plan;
 - Installation of Electric Vehicle Fast Charging points within the development.
- The Council's Public Protection Service has also requested a financial contribution to install NO_x monitoring tubes and/or Pollution Monitoring equipment within the vicinity of the development; the developer has indicated their agreement to provide such a contribution and this is included within the recommendation below.
92. In light of the above analysis, subject to application of appropriate conditions and security of the financial contribution by way of a legal agreement, the proposal is considered to accord with the relevant considerations of Policies G9, DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Contamination

93. The application is accompanied by a Preliminary Site Investigation Report, containing the results of a desk study and site walkover survey. The report does not identify any significant hazards associated with underlying ground conditions but notes identified evidence of potential sources of contamination on or which may impact on the site and additional site investigation works are recommended, including intrusive investigations and further on-site investigation of possible contamination associated with previous industrial use of the site.
94. The preliminary report has been reviewed by the Council's Public Protection service and the Environment Agency, neither of which have raised any objections to the conclusions of the report. Subject to application of a condition requiring further detailed site investigation work it is considered that there would be no conflict with Policies G9 and DM1 of the Core Strategy or the National Planning Policy Framework with respect to providing a safe environment for residential development.

Planning Obligations

95. Policy DM2 of the Core Strategy sets out that the Council will require developers to provide, or contribute towards the cost of providing, any physical and social infrastructure that is needed because of proposed development. For residential development, the Core Strategy specifically requires contributions towards affordable housing (Policy C4), public open space & formal sports provision and maintenance (Policy G6) and education provision (Policy C7).

Affordable Housing

96. In accordance with the provisions of CS Policy C4 and the Council's adopted Affordable Housing SPD, the scheme should provide the equivalent of 15% of units on-site as affordable housing. The Council's Strategic Housing Service has noted that a commuted sum payment towards off-site provision would be acceptable and therefore a commuted sum payment of 7.5% of Gross Development Value (GDV) may be provided in lieu of on-site provision.

Vacant Building Credit

97. The developer has sought to apply Vacant Building Credit (VBC), in accordance with Paragraph 63 of the NPPF. The intention of the VBC is to incentivise brownfield development on sites containing vacant buildings and allows for the offer of a financial credit equivalent to the existing gross floorspace of relevant vacant buildings demolished or brought back into use when the LPA calculates affordable housing contributions.

98. The application of VBC is a material consideration which may, in certain applicable circumstances, warrant a departure from policy requirements for affordable housing provision. NPPG sets out (at paragraph 028) that vacant building credit applies where the building has not been abandoned but otherwise does not expressly defined what constitutes 'vacant'

99. Officers of the LPA and the applicant have reached agreement that, for the purposes of calculating VBC, only Mill 2 and the Office Block may be considered to be vacant, as Mill 1 remains in use for the purposes of storage and distribution, although the level of storage in the building fluctuates in accordance with business demand.

100. The credit is therefore restricted to the sum of the existing gross floorspace of Mill 2 and the Office Block (17,280m²). The total floorspace to be delivered in the development is *circa* 32,011m². Subtracting the VBC leaves a residual of 14,731m² of floorspace which is liable for contributions towards affordable housing; as a proportion of the total floorspace this comprises 46%. Accordingly, the development is liable for a reduced affordable housing contribution of 3.4% of Gross Development Value.

101. At the £175psf Gross Development Value figure (as set out in the 'Viability' section below) this would provide for a financial contribution of £945,269 towards Affordable Housing following application of Vacant Building Credit.

Public Open Space and Formal Sports

102. The Council's *Provision of Recreational Open Space in New Housing* SPD sets out that for developments of more than 100 bedrooms, open space provision on site would be expected. The document notes, however, that payment of a commuted sum towards off-site provision may be accepted, including on tight urban sites, may be more appropriate.

103. The scheme does not include provision of on-site public open space, in light of the particular constraints of the site, although some limited amenity space for residents would be provided within the internal atria.

104. It is reasonable to assume that the development would place most pressure on the Public Open Space and play facilities nearest to the site. In this case, the nearest identified area of Public Open Space is Queen's Park, the boundary of

which is approximately 180m to the north of the site and can be accessed via an existing access track linking to public rights of way HeyBp59 and HeyFp58.

105. Aside from the bowling green and BMX track within Queen's Park, the nearest formal sports facilities to the site are located at the township hub site, Heywood Sports Village, approximately 0.8km to the west along Starkey Street/West Starkey Street.
106. Commuted sum contributions for open space/formal sports are calculated in accordance with the Council's published table of charges, as follows:
- Public Open Space
240 x 1-bed = 240 x £468.40 = £112,416.00
58 x 2-bed = 58 x £936.80 = £54,334.40
- Formal Sports
240 x 1-bed = 240 x £515.24 = £123,657.60
58 x 2-bed = 58 x £1,030.48 = £59,767.84
107. Including the 5% admin charge, this necessitates a total contribution towards off-site POS and formal sports of £367,684.63.
108. The developer has indicated their agreement to enter into a S106 agreement to secure such a contribution; subject to completion of such an agreement the proposal is considered to comply with Policies C8, G6 and DM2 of the Core Strategy and the accompanying SPD.

Education

109. Heywood has been under considerable pupil place pressures for several years; despite extensions at a number of schools, they are close to capacity in some year groups. Forecasts show significant shortage of Primary Reception places and from 2020 forward predicted spare spaces are too few to be able to meet required surplus of 3% in each year group. Developer contributions are therefore required for Primary places.
110. Secondary capacity across the Heywood area is insufficient from 2023 onwards. Predicted spare capacity is not sufficient to meet the required 3% spare capacity to manage pupil arrivals in-year. There is a severe shortage of places from 2023 to 2028 covering the last 5 years of the 10 year secondary forecast period. Developer contributions are therefore required for Secondary places.
111. Contributions are required for units containing 2 or more bedrooms in accordance with the below formulae:
- Primary – 58 units x 0.25 = 14.5 x £12,320.01 = £178,640.15
 - Secondary – 58 units x 0.1 = 5.8 x £15,400.01 = £89,320.06
 - Total contribution = £267,960.21
112. The developer has indicated their agreement to enter into a S106 agreement to secure such a contribution; subject to completion of such an agreement the proposal is considered to comply with Policies C7 and DM2 of the Core Strategy.

Viability

113. In accordance with Paragraph 57 of the Framework, the application is accompanied by a Viability Assessment (VA) which seeks to set out a summary of the viability of the development. The VA has been subject to review by independent, qualified assessors appointed by the LPA – the parties have

effectively reached agreement on all matters, including development costs, except for the Gross Development Value (GDV).

114. The advice received from the Council's advisors is that a sales value at £184psf should be achieved; this would generate a GDV of £27,802,031 and therefore allow for the scheme to meet a total S106 contribution of £1.52m, including for 15% developer's profit. The applicant maintains that a sales value of £165psf should be adopted.
115. Advice received from the Council's assessors recommends that a compromise figure of £175psf may be adopted (being the mid-range of their sales transaction data for the area); this would generate a revised GDV of £27,219,950 and therefore allows the scheme to meet a total S106 contribution of £1,040,643 whilst allowing for a 15% developer's profit. In adopting the compromise figure, it is recommended that a clawback or overage mechanism is included within the agreement, allowing for re-gain of the planning benefit in the event that sales values exceed those anticipated at the time of the agreement.
116. The total S106 contribution of £1,040,643 may be apportioned as Members determine, however, the recommendation of officer's is that the full contributions are collected for POS, formal sports, education, transport improvements and air quality monitoring, and the balance of the total contribution is collected for off-site affordable housing provision, as detailed in the following table:

Contribution	Amount
Public Open Space (inc. 5% admin)	£175,087.92
Formal Sport (inc. 5% admin)	£192,596.71
Primary Education	£178,640.15
Secondary Education	£89,320.06
Public Transport Improvement	£5,000
Air Quality Monitoring	£2,600
Affordable Housing	£397,398.16
	£1,040,643

Summary & Balancing Exercise

117. The development would technically comprise a departure from the Development Plan, in light of the inability to demonstrate a clear lack of demand for the site for employment purposes, in considering the requirements for release of employment sites under Policy E2 of the Core Strategy. However, it is noted that the development otherwise complies with the spatial strategy set out within the Local Plan and development of the site for residential purposes would meet expectations set out in the NPPF for delivery of development on under-utilised brownfield sites within existing settlements and deliver on the Council's regeneration ambitions for Heywood. The development would also make a significant and valuable contribution towards delivery of the Borough's housing supply.
118. The development would also provide for the delivery of an optimum viable use for two key heritage assets, currently subject of significant and rapid decline in their physical condition, arising as a result of being used for a sub-optimum storage and distribution use and being mothballed/vacant. The benefits arising from the restoration, conservation and long-term security of the buildings should be afforded great weight, in accordance with paragraph 193 of the NPPF.

119. It is considered, on balance, that material considerations, including other relevant policies of the Development Plan itself and the National Planning Policy Framework, indicate that a departure from the Development Plan, in accordance with S38(6) of the Planning and Compulsory Purchase Act, is justified in this instance, particularly given that the redevelopment of the site would not prejudice the Borough's employment land supply.
120. Matters pertaining to the impacts of the development on the surrounding highway network, protected species, air quality, drainage and flood risk, living conditions for future residents and the ability to provide safe and suitable access to the site can be suitably addressed by way of condition. Impacts of the development by virtue of additional pressures on public open space, formal sports provision and education provision may be suitably addressed by way of financial contributions to be secured by way of a S106 agreement.
121. Taking the above factors into account, the recommendation is that planning permission is granted.

RECOMMENDATION

It is recommended that the Planning and Licensing Committee resolves that it is minded to GRANT planning permission subject to a Section 106 agreement to secure the following:

- i. Financial contribution of £175,087.92 (inc. 5% admin fee) towards provision/improvement of Public Open Space;
- ii. Financial contribution of £192,596.71 (inc. 5% admin fee) towards provision/improvement Formal Sports;
- iii. Financial contribution of £178,640.15 towards Primary education provision;
- iv. Financial contribution of £89,320.06 towards Secondary education provision;
- v. Financial contribution of £5,000 towards bus stop improvements on A58 (Rochdale Road East);
- vi. Financial contribution of £2,600 to install, maintain and monitor air pollution monitoring equipment;
- vii. Financial contribution of £397,398.16 towards provision of off-site affordable housing,
- viii. Inclusion of a clawback/overage clause allowing for re-gain of the planning benefit for provision of off-site affordable housing in the event that sales values exceed those anticipated at the time of the agreement.

and that the Section 106 agreement requires the above contributions to be paid broadly in accordance with the following trigger points and proportions:

Prior to first occupation of Mill 1 and the Office Block:

Contribution	Proportion of Total Contribution
Public Open Space	50%
Formal Sports	50%
Primary Education	60%
Secondary Education	60%
Bus Stop Improvements	100%
Air Quality Monitoring	100%
Affordable Housing	50%

Prior to first occupation of Mill 2:

Contribution	Proportion of Total Contribution
Public Open Space	50%
Formal Sports	50%
Primary Education	40%
Secondary Education	40%
Affordable Housing	50%

and that the Head of Planning Services is authorised to GRANT planning permission upon execution of the above S106 agreement subject to the schedule of conditions to be detailed in an update report.