

Application Number:	2025/0217	Application Type:	FUL - Full Application
Proposal:	Change of use from industrial site to outdoor education and leisure use, retention of four associated ancillary structures, and siting of new shipping container for use as an ancillary office (part retrospective).	Location:	Land At Meadows Mill Burnley Road Bacup.
Report of:	Head of Planning and Building Control	Status:	For publication
Report to:	Development Control Committee	Date:	02/09/2025
Applicant:	Mr Simon Moorhouse	Determination Expiry Date:	08/08/2025 Ext of Time until 10/10/2025
Agent:	Mr Steven Jackson		

Contact Officer:	Storm Grimshaw
Email:	planning@rossendalebc.gov.uk

REASON FOR REPORTING	
Outside Officer Scheme of Delegation	No
Member Call-In Name of Member: Reason for Call-In:	Yes Councillor Judith Driver Concerns about the site's location, potential noise, and access issues.
3 or more objections received	Yes
Other (please state):	No

HUMAN RIGHTS

The relevant provisions of the Human Rights Act 1998 and the European Convention on Human Rights have been taken into account in the preparation of this report, particularly the implications arising from the following rights:

Article 8

The right to respect for private and family life, home and correspondence.

Article 1 of Protocol 1

The right of peaceful enjoyment of possessions and protection of property.

1. **RECOMMENDATION**

That planning permission be granted.

2. **SITE**

The application site is an irregularly shaped plot of approximately one hectare in area. The main body of the site is located approximately 45 metres south of the junction of Burnley Road (the A671) and Woodland Terrace on land that is identified as forming both part of a Green Infrastructure Network and a Countryside Area. However, the access to the site passes through the Urban Boundary and an identified Employment Site (EE5 – Burnley Road).

The main site is open, laid to grass and largely enclosed by mature trees. The southern end is partly occupied by a single storey timber/corrugated sheet former stable building, another small timber structure, a shipping container and an open sided tent structure.

3. **RELEVANT PLANNING HISTORY**

None

4. **PROPOSAL**

The land was originally used as a mill pond which has since been filled in. More recently it has been used as a paddock for grazing horses.

Planning permission is now sought to use the site for outdoor leisure and recreation purposes. This involves using it as a Forest School for special needs children and adults, as a venue for birthday parties, and for activities such as archery, air rifle and pistol shooting and tomahawk throwing.

Approval is also sought to retain the stable building and use it as an ancillary shelter, and to position the following additional ancillary structures on the site:-

- a) a small timber structure which is to be used as a chemical toilet,
- b) two shipping containers, one to be used as an office and store and the other as a permanent site office, and
- c) an open sided tent structure which is to cover a seating area surrounding a fire pit.

The use has already commenced and all of the structures referred to above are now 'on site' with the exception of one of the shipping containers.

5. **POLICY CONTEXT**

National

National Planning Policy Framework

- Section 2 Achieving Sustainable Development
- Section 8 Promoting Healthy and Safe Communities
- Section 9 Promoting Sustainable Transport
- Section 11 Making Effective Use of Land
- Section 12 Achieving Well Designed Places
- Section 15 Conserving and Enhancing the Natural Environment

Development Plan Policies

Rossendale Local Plan 2019 to 2036

- Policy SD1 Presumption in Favour of Sustainable Development
- Policy SD2 Urban Boundary and Green Belt
- Policy ENV1 High Quality Development in the Borough
- Policy ENV3 Landscape Character and Quality
- Policy ENV4 Biodiversity, Geo-diversity and Ecological Networks
- Policy ENV5 Green Infrastructure Networks
- Policy ENV6 Environmental Protection
- Policy ENV10 Tree and Hedgerows
- Policy TR4 Parking
- Appendix 1 Parking Standards

Other Material Planning Considerations

National Planning Practice Guidance
National Design Guide

6. **CONSULTATION RESPONSES**

Consultee	Summary of Comments received
LCC Highways	No objections
RBC Environmental Health	No objections
Growth Lancashire (Trees)	No objections subject to a condition requiring the submission of a revised Tree Protection Plan.
Land Contamination Officer	No objections.

7. **REPRESENTATIONS**

The application was advertised solely by sending letters to surrounding residents in this instance. These were sent on 7th July 2025 giving 21 days to comment. The publicity period expired on 28th July 2025 and four letters of objection (including two from the same person) were subsequently received, the objections being:-

- a) that the development would harm the appearance of the area,
- b) that the use would disturb local residents by reason of excessive noise generated by people and vehicles visiting the premises. Despite the applicant's assertion it is likely that there will be times when there are more than 20 people on the site.
- c) that the access to the site is inadequate and the proposals would also make inadequate provision for the associated parking and manoeuvring of cars and in particular coaches. The proposals would therefore likely lead both to the 'on-street' parking of vehicles on, and to the increased vehicular use of, Burnley Road in close proximity to Broadclough Bends. This would not be in the best interests of highway safety in the area.
- d) that the development (including excavation works that have already been carried out in order to form the access to the site) has harmed, and would continue to harm, trees and the ecology of the area.
- e) that the site is not safe to use as it adjoins industrial premises where there are likely to be gas bottles and large amounts of industrial waste.
- f) that if this application was approved it would likely lead to further development on the field at the side of Meadows Mill in the future.
- g) that a number of breaches of the planning legislation have already occurred with respect to the land.

Eight letters of support were also received in respect of the scheme. Those who supported the proposals considered:-

- a) that this was the sort of development that should be strongly encouraged and promoted both in Bacup and in Rossendale as a whole. It would bring significant benefits to the local community and to schools in the area, and it would also be 'in line' with the aims of the Bacup 2040 Vision which is about creating a town that is inclusive, active and attractive to residents, businesses and visitors alike.
- b) that this site lends itself to outdoor learning and activities providing a tranquil and nature-rich environment that is ideal for both,
- c) that the development would not have an adverse impact upon the appearance of the area. It would be located next to industrial premises that are not especially attractive. Furthermore, the proposed ancillary structures are/would be modest in size and of a temporary nature.

- d) that the development would have minimal impact upon the ecology of the area.
- e) that the site is safe to use as it is neither contaminated nor at risk of flooding.
- f) that this would be a very modest and low scale use and it would not therefore unduly disturb nearby local residents through excessive noise. It would be helped in this respect by the topography of the site and because it is substantially enclosed by trees.
- g) that the development would benefit from a satisfactory level of associated parking.

The application has recently been amended, the application site boundary being amended to include the access to the site from Burnley Road. Consequently, it has been further advertised for a period of 14 days by sending additional letters to surrounding residents (including those who previously made representations on the scheme). The revised publicity period expired on 4th September 2025 and one further objection has since been received. However, this does not raise any new issues.

In support of their proposals the applicant and agent have submitted a 'Justification Statement' and an e-mail. These collectively state:-

- a) that this use will provide a much-needed service within the Rossendale valley.
- b) that the use has been in operation for a few months and does not generate undue noise.
- c) that a maximum of 20 people will be on the site at any one time, and usually there will be just 8 students and supporting staff from the School.
- d) that no excavation works have taken place on the site since it was taken over by themselves. No new access road has been formed to it either.
- e) that they are not responsible for any fly tipping that has taken place near to the site.
- f) that the use is unlikely to attract significant numbers of vehicles and is therefore unlikely to give rise to any undue highway safety concerns.
- g) that the land has never been grazed and does not lie within a Conservation Area.
- h) that no trees or wildlife have been harmed by this use, and there is no intention to cause any harm to either in the future.
- i) that the site is located within Flood Zone One and is not therefore at risk of flooding.
- j) that the site is not known to be contaminated.

- k) that there is no need to enhance the bio-diversity of the site in this case as it is already substantially enclosed by mature trees and hedges. Nevertheless, it is proposed to provide bat and bird boxes as part of the development.

8. **ASSESSMENT**

The main issues for consideration in this instance are:-

- a) Principle
- b) Visual Amenity
- c) Neighbour Amenity
- d) Highway Safety
- e) Ecological Issues
- f) Tree Issues
- g) Land Contamination Issues
- h) Other Issues

Principle

The main body of the application site lies within an identified Countryside Area although the access to it passes through the Urban Area. The proposals therefore need to be initially assessed against the requirements of Policy SD2 of the Local Plan which requires in part:-

- a) that a need should initially be demonstrated for developing such land, and
- b) that where this has been established the development should be designed and positioned so as to minimise its impact on its surroundings.

A specific need to locate the proposed development here has not been established in this case. Nevertheless, it is considered that it is not one that would significantly harm the character or appearance of the surrounding area. In coming to this view consideration has been given to the following:-

i) the site is substantially enclosed by mature trees which would provide significant screening of the development and reduce its impact on its surroundings. These trees are to be wholly retained.

ii) the site itself is largely open and laid to grass. The proposed development would retain its open character.

iii) whilst the site is mainly located within an identified Countryside Area it is not located within rural open countryside, the surrounding area being a semi-urban mix of residential and industrial development.

iv) the site is relatively sustainably located. It lies within 30 metres of the Urban Boundary, near to a bus route and just over 800 metres from Bacup Town Centre.

In view of the above, despite the predominantly 'Countryside' location of the site and the lack of demonstrable need for the proposed development, it is considered that the proposals would reasonably meet the requirements of Policies SD1 and SD2 of the adopted Local Plan and Sections 2 and 9 of the NPPF in policy terms.

The main site also forms part of a Green Infrastructure Network. Within such areas development proposals will be expected to support the protection, management, enhancement and connection of the network. It is considered that these proposals will reasonably do this:-

- a) the development will reasonably retain the function and connectivity of the network by maintaining the openness of the site - the new ancillary buildings/structures taking up very little of the land due to their modest size. All of the mature protected trees surrounding the land, and the two within it, will also be retained.
- b) it is contended that the use will not have an unacceptable impact on amenity, surface water or nature conservation in the area (for reasons outlined later within the report).

In view of this it is also considered that the proposals will reasonably satisfy the requirements of Policy ENV5 of the Local Plan.

Finally, the proposals are also considered to be in accordance, at least in part, with the aims of Section 8 of the NPPF. It is considered that they can reasonably be viewed in the context of seeking to promote social interaction and to support healthy lives, well-being needs and to reduce health inequalities between the most and least deprived communities.

In view of the above the proposals are considered to be acceptable in principle.

Visual Amenity

The proposals involve the retention/siting of the five structures referred to in the 'Proposal' section above with four of these already 'in situ'. The former stable building and toilet are to be constructed of timber and are therefore considered appropriate for this wooded setting. However, the other structures are not considered to be especially attractive in design terms, two of them being standard shipping containers and one being an open sided tent. This aside this site is substantially enclosed by trees so none of the structures will appear prominently in the general street scene or landscape. Furthermore, none of them will appear unduly large either in themselves or when viewed in the context of the site as a whole. With this in mind, and as the proposed use will otherwise maintain the open and grassed nature of the site, it is not envisaged that the development will harm the appearance of the area despite concerns to the contrary. On this basis it is considered that it will reasonably satisfy the requirements of Policies SD2, ENV1 and ENV3 of the Local Plan and Sections 12 and 15 of the NPPF in visual amenity terms.

Neighbour Amenity

a) Light

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The site is located over 55 metres away from the nearest separately owned dwellings. These lie to the east and northwest with substantial tree screening in between. The development will not therefore affect the level of light that these, or any other properties, currently receive.

b) Noise

A use of this nature has the potential to cause undue disturbance to local residents by reason of noise and this has led to objections to the scheme. However, the agent has indicated:-

- a) that at worst there will be a maximum of 20 people on the site at any one time and that usually there will be just 8 students with supporting staff from the School.
- b) that the use will operate between the hours of 9am and 5pm Monday to Friday, and between 11am and 5pm on weekends.

This will therefore be a relatively low-key use operated during what are considered to be reasonable daytime hours and with this in mind it is not envisaged that it will cause undue disturbance to nearby local residents. In coming to this view consideration has also been given to the fact:-

- a) that the development will stand over 55 metres from the nearest separately owned residential properties with substantial trees in between,
- b) that there are industrial premises nearby that are likely to generate significantly more noise than a use of this nature, and
- c) that the Council's Environmental Health Service have not raised any objections to the proposals.

In view of the above it is considered that, despite concerns to the contrary, the proposals will reasonably safeguard the residential amenities currently enjoyed by the occupiers of nearby properties. It is therefore considered that they will satisfy the requirements of Policies ENV1 and ENV6 of the Local Plan and Section 12 of the NPPF in neighbour amenity terms.

Highway Safety

Vehicular access to this site is to be gained via an existing access from Burnley Road which serves industrial units at Meadows Mill, and then via an unmade access track which passes those units and continues on to the site. The anticipated parking provision/manoeuvring space for the proposal – four associated 'off-street' car parking spaces, one mini-bus space and associated 'on-site' turning space – is proposed on land directly adjoining the site (identified as 'Mill Overspill Parking' on the submitted plans). These arrangements are considered to be acceptable despite the concerns of some local residents. This will be a relatively low-key use that, on the balance of probability, is unlikely to give rise to any undue highway safety concerns in this instance. County Highways raise no objections to the proposals.

The land proposed for parking/turning is located outside of the defined application site and it

is not therefore possible to formally condition that it is retained for use in connection with the development. However, for Members' information the agent has submitted an e-mail from the Director of Meadows Mill which gives their approval for this land to be used as an ancillary parking area for up to five vehicles.

On the basis of the above the proposals are, on balance, considered to be acceptable in highway safety terms reasonably satisfying the requirements of Policies TR4 and Appendix 1 of the Local Plan in this regard.

Ecological Issues

These proposals should not significantly harm the ecological value of this site despite concerns to the contrary:-

- a) this is a relatively low-key use with no more than 20 people likely to be occupying this quite substantial site at any one time;
- b) the ancillary buildings/structures will occupy only a very small percentage of this with the majority of the site left open;
- c) no works are proposed to any of the trees, and the Council's Tree Consultant has indicated that these can reasonably be safeguarded subject to the implementation of certain mitigation measures (see 'Tree Issues' section below); and
- d) the applicant/agent are proposing to introduce bat and bird boxes on the site as part of the scheme.

On this basis, and subject to a condition to secure the bat and bird boxes, it is considered that the proposals will be acceptable in ecological terms reasonably meeting the requirements of Policies ENV1 and ENV4 of the Local Plan and Section 15 of the National Planning Policy Framework in this regard.

Tree Issues

The site itself is largely open but two mature trees stand within it. It is also surrounded by a substantial number of mature trees. All of these are the subject of a blanket Tree Preservation Order (T2/C/W18).

An Arboricultural Impact Assessment and an Arboricultural Method Statement have been submitted with the application which collectively confirm that it is not proposed to remove, or carry out any works to, any of these trees as part of these proposals. Furthermore, given that the development primarily involves the use of the land, and the ancillary structures forming part of the scheme are either to be located outside of the root protection zones of the trees or will have no significant foundations, it is not envisaged that it will cause any harm to them. In order to ensure this the Assessment and Statement list a number of mitigation measures which they recommend are implemented both during the construction phase and thereafter.

The Assessment and Statement have been considered by the Council's Tree Consultant who accepts their findings and conclusions. They therefore raise no objections to the proposals subject to conditions requiring that the proposed mitigation measures are implemented and that a further Tree Protection Plan, which includes scaled drawings showing the accurate location of trees on the site and of the proposed location and design of the protective fencing, is submitted for approval. Conditions to this end are therefore recommended.

Subject to the imposition of such conditions it is considered that the proposals will be acceptable in terms of their impact on trees reasonably satisfying the requirements of Policies ENV1 and ENV10 of the Local Plan in this regard.

Land Contamination Issues

Whilst the site is located near to industrial premises, and was formerly used as a mill pond (since filled in), it is not known to be contaminated. Consequently, it is not anticipated that future users of the land are likely to be at risk from contaminants despite concerns to the contrary. This view is supported by the Council's Land Contamination consultant who raises no objections to the development. The proposals are therefore considered to be satisfactory in land contamination terms reasonably meeting the requirements of Policies ENV1 and ENV6 of the Local Plan and Section 15 of the National Planning Policy Framework in this regard.

Other Issues

The concerns raised by the objectors to the application, as set out in the 'Representations' section above, have been assessed. Those identified as (a) to (d) have already been addressed earlier in the report. However, the remainder are also not considered to represent justifiable reasons for refusing the scheme in this case for reasons given below:-

- i) the potential presence of gas bottles, industrial waste etc is a health and safety issue which, it is understood, can reasonably be addressed through separate Health and Safety legislation. The site itself is not known to be the subject of any contamination.
- ii) further development of the surrounding land is likely to require planning permission. The suitability of any such proposal can therefore be assessed if and when a planning application to this end is submitted.
- iii) any breaches of the planning legislation that may be occurring here can be separately addressed through the appropriate planning legislation.

Conclusion

The development is considered to be acceptable in principle. Whilst it is mainly to be located within identified 'Countryside', on land forming part of the Green Infrastructure Network, it will retain the open character of the former and the function and connectivity of the latter by retaining the openness of the site. The development will also be relatively sustainable being located within 30 metres of the Urban Boundary, near to a bus route and just over 800 metres from Bacup Town Centre.

It is considered that the development will reasonably safeguard the visual amenity of the area, the amenities of local residents, the ecology of the site and protected trees provided that suitable conditions are imposed where necessary. It is also considered that a relatively low-key use of this nature will not, on balance, give rise to any undue highway safety issues.

The proposals are therefore considered to be in accordance with the requirements of Policies SD1, SD2, ENV1, ENV3, ENV4, ENV5, ENV6, ENV10, TR4 and Appendix 1 of the Council's adopted Rossendale Local Plan 2019 to 2036, and Sections 2, 8, 9, 11,12 and 15 of the National Planning Policy Framework.

9. **RECOMMENDATION**

Grant permission subject to conditions.

CONDITIONS

1. The development hereby permitted shall be carried out/retained in accordance with the details shown on/set out within the following drawings/documents, unless otherwise required by the conditions below:

<u>Drawing Title</u>	<u>Drwg No</u>	<u>Date Rec'd</u>
Location Plan	A1	14/08/25
Existing Site Layout Plan	A2	14/08/25
Proposed Site Layout Plan	A4	14/08/25
Floor Plans and Elevations of Existing And Proposed Structures	A5	14/08/25
Arboricultural Impact Assessment and Method Statement by Beverley Moorhouse dated 14 th July 2025		14/07/25

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with the requirements of Policies SD1, SD2, ENV1, ENV3, ENV4, ENV5, ENV6, ENV10, TR4 and Appendix 1 of the Council's adopted Rossendale Local Plan 2019 to 2036, and Sections 2, 8, 9, 11,12 and 15 of the National Planning Policy Framework.

2. The new shipping container shall be painted a light green colour to match the existing container within one month of it being positioned on the site. Both containers shall thereafter be satisfactorily retained in this colour at all times.

Reason:- In the interests of the visual amenity of the area in accordance with the requirements of Policies SD2, ENV1 and ENV3 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

3. The use hereby approved shall not be operated outside of the hours of 9am and 5pm Monday to Friday, or the hours of 11am and 5pm on Saturdays, Sundays and Bank Holidays.

Reason:- To safeguard the amenities of the occupiers of nearby residential properties in accordance with the requirements of Policies ENV1 and ENV6 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

4. The development shall be carried out in full accordance with the requirements of the approved Arboricultural Impact Assessment and Arboricultural Method Statement by Beverley Moorhouse dated 14th July 2025 as amended by the requirements of condition 5 below.

Reason: To safeguard existing trees in the interests of the appearance of the Locality, in accordance with the requirements of Policies ENV1 and ENV10 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

5. Notwithstanding the requirements of the approved Arboricultural Impact Assessment and Arboricultural Method Statement by Beverley Moorhouse dated 14th July 2025, a revised Tree Protection Plan shall be submitted to, and approved in writing by, the Local Planning Authority prior to any further development taking place on site. This shall include scaled plans showing the location of trees on the site, the location of the protective fencing to be used to protect them during the construction works, and details of the design of that fencing. The approved fencing shall be erected in the approved positions before any further development takes place and shall be retained at all times that construction works are underway. During that period nothing shall, at any time, be stored within the root protection zone of any tree and no work, including any form of drainage work or the depositing of earth or topsoil, shall take place within the perimeter of such fencing.

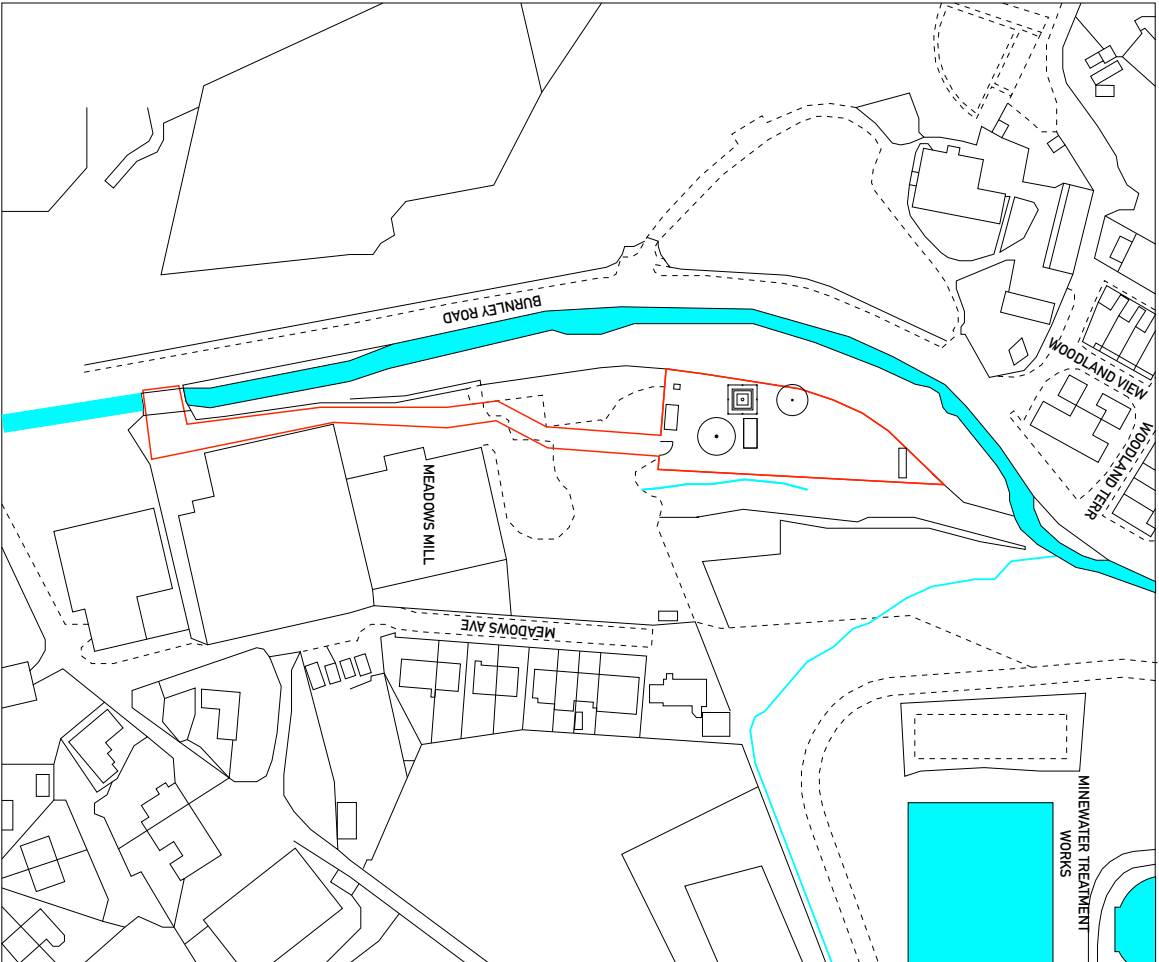
Reason: To safeguard trees during construction in the interests of the appearance of the locality, in accordance with the requirements of Policies ENV1 and ENV10 of the Council's adopted Rossendale Local Plan 2019 to 2036 and Sections 12 and 15 of the National Planning Policy Framework.

6. Three bird boxes and three bat boxes shall be provided on the site within one month of the substantial completion of the development. These shall thereafter be satisfactorily retained at all times.

Reason: To enhance the ecological value of the site, in accordance with the requirements of Policy ENV4 of the adopted Rossendale Local Plan 2019 to 2036 and Section 15 of the National Planning Policy Framework.

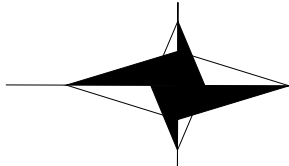
INFORMATIVES

1. The proposals comply with the development plan and would improve the economic, social and environmental conditions of the area. They therefore comprise appropriate development and the Local Planning Authority has worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement as set out in Paragraph 38 of the National Planning Policy Framework.
2. The site is potentially in a Radon Class 4 Area (5-10%) according to the UK Radon indicative map. The applicant is advised this should be clarified and that the Management of Health and Safety at Work Regulations require the assessment of health and safety risks and this should include radon.



LOCATION PLAN 1:1250

NORTH



ISSUE

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CLIENT
MR SIMON
MOORHOUSE

ISSUE

PROJECT NO.
SM/01/01/EX

PROJECT
PROPOSED FOREST SCHOOL AT
THE MEADOWS MILL,
BURNLEY, LANCASHIRE

DRAWN BY
SJ

DESCRIPTION
LOCATION PLAN
1:1250

PAPER SIZE A3

A1



ISSUE

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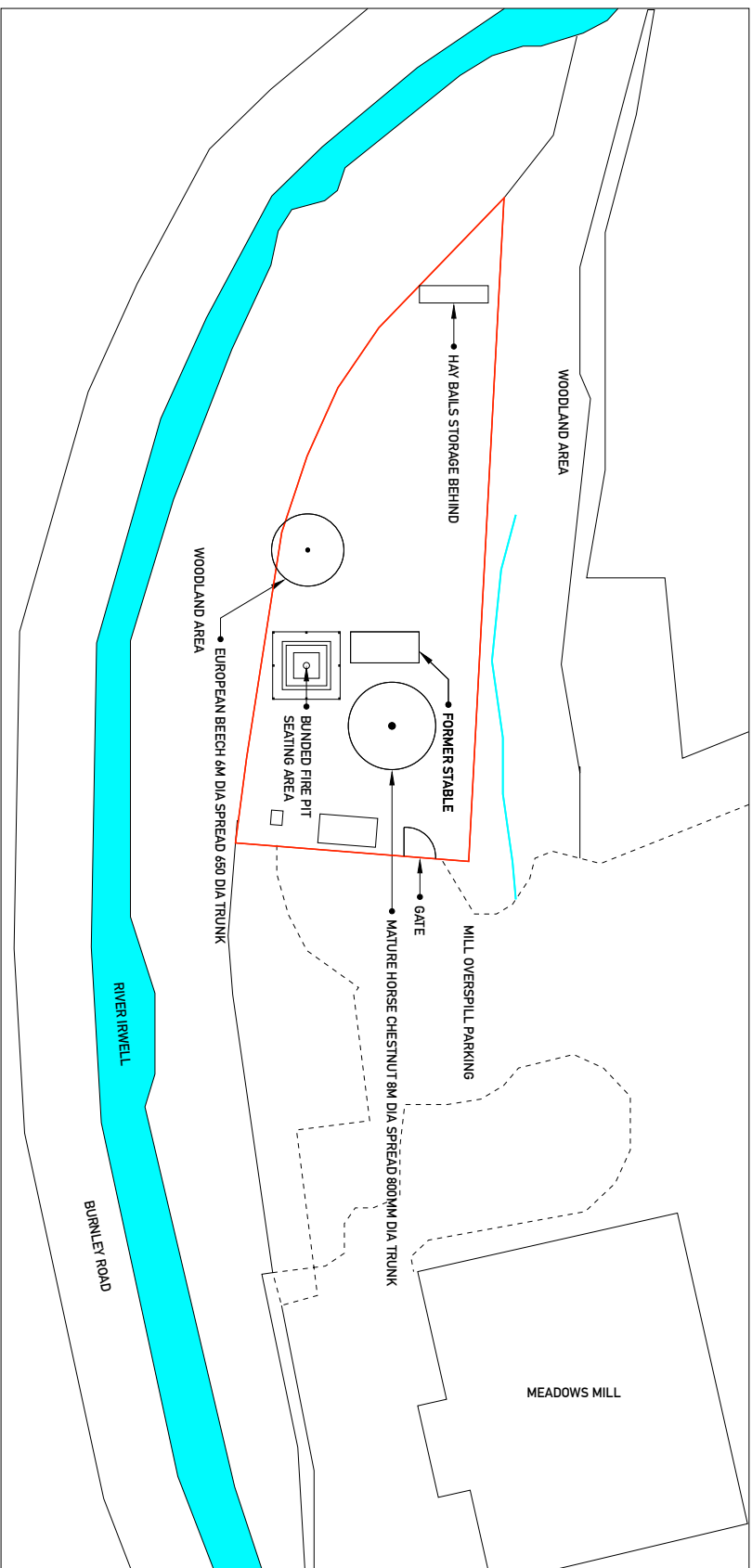
PROJECT
PROPOSED FOREST SCHOOL AT
THE MEADOW MEADOWS MILL,
BROADCLOUGH, BACUP

DRAWN BY
SJ

DESCRIPTION
SITE PLAN PRIOR TO
CURRENT USE
1:500

PAPER SIZE A3

A2



EXISTING SITE PLAN 1:500

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MR SIMON
MOORHOUSE

ISSUE

PROJECT NO.
SM/04/01/EX

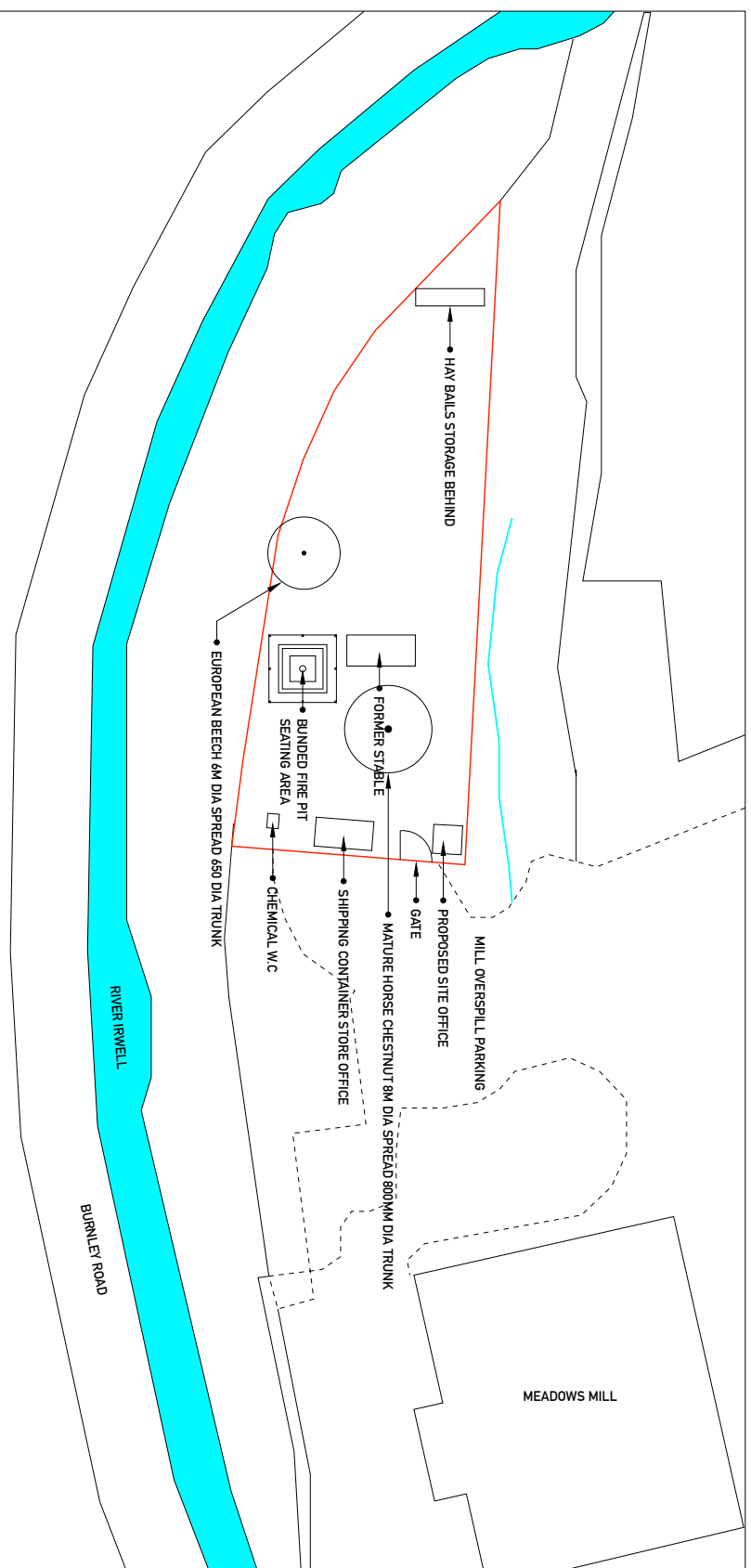
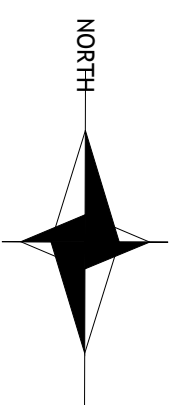
PROPOSED FOREST SCHOOL AT THE MEADOW. MEADOWS MILL, BROADCLOUGH, BACUP

DRAWN BY
SJ

DESCRIPTION
PROPOSED SITE PLAN
1:500

PAPER SIZE A3

A4



PROPOSED SITE PLAN 1:500







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