

Certificate of Proposed Lawful Use

High Standard Limited

1 Summer Street

Rochdale

OL16 1SY

Proposed Sud-Division of Existing General Industrial Unit (B2 Use) to Four Separate Units (B2 Use)

March 2023

Building Design Services (BDS)

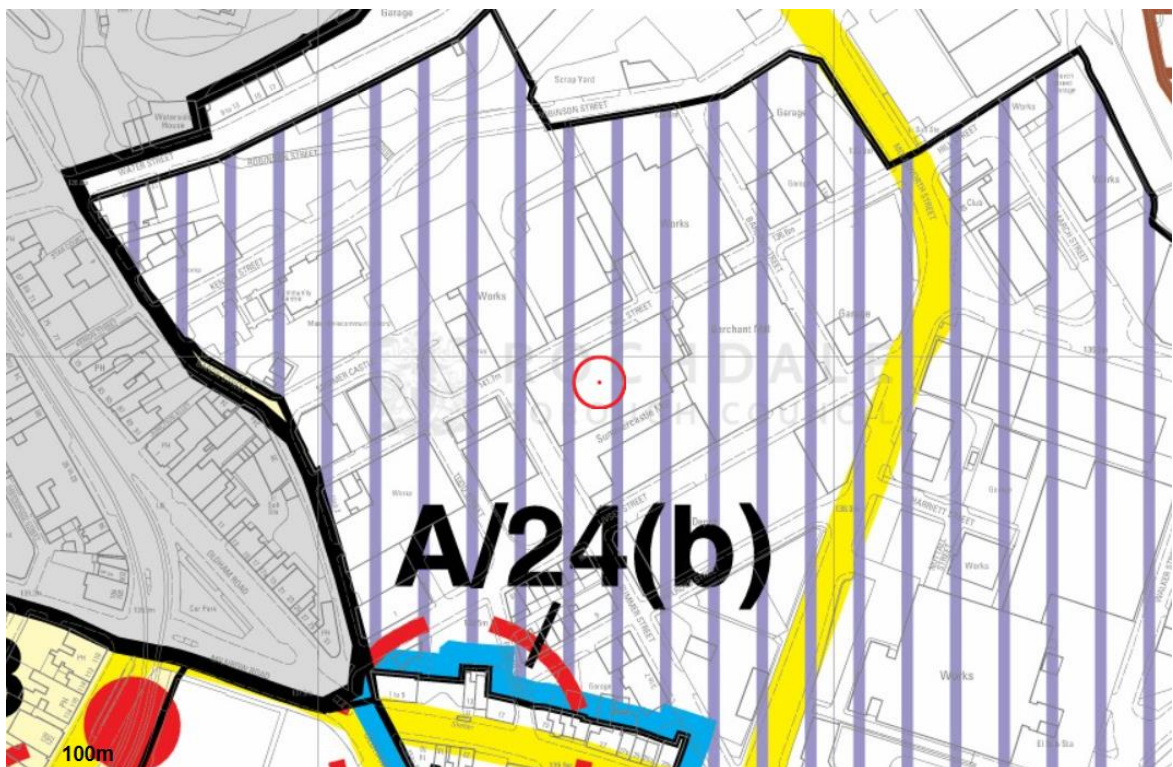
Prepared by: Building Design Services (BDS), 6 Stock Close, Shawclough, Rochdale, OL12 6BB.

E-mail: bds2000@live.co.uk

Application Site

The application site relates to a medium sized single storey building located on the corner of Summer Street and Hill Street in Rochdale. The building is constructed of red brick with a corrugated steel roof. Loading bays are provided on Hill Street. The main pedestrian access is from Summer Street.

The property is allocated as being within the Mixed Employment Zone within the Council UDP Proposals Map with similar industrial buildings and uses in the vicinity of the site.



The image above from the UDP Proposals Map shows the site located within the dedicated Mixed Employment Zone. The character of the surrounding area is industrial.

The building is occupied by 'High Standard Ltd' and has been for at least the last 20 years. The company specialises in the sourcing and manufacture of bespoke clothing and accessories for customers and clients based in the UK, Europe, Africa and North America. Through this extensive network they source and produce a wide range of apparel for clients including bespoke t-shirts, polo shirts, sweatshirts, jackets, bags, headwear and trousers.

Planning Permission

Planning permission is needed when proposals constitute a 'material change of use', i.e. between different Classes. What constitutes a 'material change' is not defined within planning legislation and is a matter of fact and degree to be determined on the individual merits of each case.

Planning permission is not needed for a change from one use to another within the same Class – this is not 'development' (i.e. not a material change) and does not require a planning application.

Use Classes Order

Up to 1st September 2020, there were four Classes of use in planning, 'A to D'. However, these have been significantly altered and replaced by the new class E, F1 and F2 and the abolition of classes A, B1 and D.

Use Classes B2 still remains valid.

B2 General Industrial Use - Use for industrial process other than one falling within class E(g) (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

Proposed Lawful Change.

The current building is essentially split into four units internally, however connected by internal pedestrian doors as shown on the floor plans. The applicant is now changing the way they operate to save costs and split the individual operations of the factory completely where workers do not freely walk into other operations within the building and where costs of each process can be clearly identified and billed.

The operations of the business include the pattern cutting processes, garment production, brand and care labelling and finishing. All these operations are general industrial use and would not change from the existing B2 function.

Section 55 (2) (f) of the Town and Country Planning Act states that in terms of development and subject to the provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land;

(f) in the case of buildings or other land which are used for a purpose of any class specified in an order made by the Secretary of State under this section, the use of the buildings or other land or, subject to

the provisions of the order, of any part of the buildings or the other land, for any other purpose of the same class.

Given the above, the building would still be used as a whole within the same use class and by the same company. There would be no changes to the buildings current use class. There would be no 'Development' by way of this proposal amounting to development.

In addition to the above, given the information of how the units would be used and the makeup of the area which is essentially industrial, there would be no material impact on the character of the use (in planning terms) and amount to a material change of use as matter of fact and degree.

History

The history of the site is provided below. This clearly indicated the use of the site as a factory B2 Use. The conditions of the approvals do not restrict Permitted Development Rights for the building or its Use.

Two Storey Extension To Factory

1A Summer Street, Rochdale

Ref. No: 06/D47891 | Received: Thu 24 Aug 2006 | Validated: Thu 24 Aug 2006 | Status: Decided

Installation Of Parapet Wall To Hill Street Elevation Of Industrial Unit

1-5 Summer Street/Hill Street, Rochdale

Ref. No: 06/D47717 | Received: Thu 20 Jul 2006 | Validated: Thu 20 Jul 2006 | Status: Decided

First Floor Extension To Factory

1A, Summer Street, Rochdale, Lancashire, OL16 1SY

Ref. No: 03/D42736 | Received: Wed 24 Dec 2003 | Validated: Mon 29 Dec 2003 | Status: Decided

First Floor Side Extension To Factory

1A Summer Street Rochdale

Ref. No: 95/D31946 | Received: Fri 28 Apr 1995 | Validated: Fri 28 Apr 1995 | Status: Decided

Conclusion

Given the above and the taking into consideration the Town and Country Planning Act 1990, the existing established use of the building as a B2 industrial Use, and proposed subdivision of the unit for the same B2 Use does not amount to a material change of use and require formal planning approval.

A Lawful Development Certificate should therefore be issued by Council without delay.

Appendix

Photos of the building are provided below;

