



Town and Country Planning Act 1990 (as amended)

PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01284/FUL

Name and address for correspondence:	Applicant name:
Mr Mohammed Zohaib 30 Ashfield Road Rochdale OL11 1PX	Mr Naweed Chowdhary

Part I - Particulars of Application

Date of Application: 24 November 2022

Proposal:	Change of use of lower ground floor and part of ground floor from mixed Use Class B2 and B8 to Use Class B2 (industrial), including new external staircase and new first floor window to south west elevation
Location:	Mitchell Hey Mills, College Road, Rochdale, OL12 6AE

Part II - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

Conditions and Reasons:

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 This consent relates to the following plans and documents

- Location Plan
- Proposed Site Plan
- Car Park Site Plan
- Existing and Proposed Lower Ground Floor Plans
- Existing and Proposed Ground Floor Plans

- Existing and Proposed First Floor Plans
- Existing and Proposed Second Floor Plans
- Proposed Elevations

and the works shall be carried out in complete accordance with these plans and documents hereby approved.

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

- 3 Notwithstanding any description of materials in the application, no insertion or installation of windows and doors shall take place until a full specification of windows and doors to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour, opening method details and specification of windows and doors. The windows on the south west elevation shall consist of either timber or aluminium. The development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework, and the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

- 4 Notwithstanding any details submitted as part of the application, no part of the development shall be occupied until full details of the staircase have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the proposed staircase shall be painted black. Development shall be carried out in accordance with the approved details.

Reason: In the interest of preserving the historical significance of the designated heritage asset and in accordance with Policies DM1, P1, P2 and P3 of the adopted Core Strategy, the National Planning Policy Framework, and the Planning (Listed Building and Conservation Areas Act) 1990 (as amended).

Procedure Statement:

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay.

Date Decision Issued 20 July 2023

Daniela Ripa
Interim Head of Planning Services

IMPORTANT

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

INFORMATIVE:

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

INFORMATIVE:

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully

commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: £34.00 for householder applications and £116.00 in all other cases.

INFORMATIVE:

'Environment Agency position

Flood Risk

We have reviewed the flood risk assessment ref: Job number 127-WM by William Morris. The FRA states that there could be a risk of flooding to the development. The Environment Agency's data provided and reproduced in appendix C indicates that there are records of flooding to the site. Although the site is shown within flood zone 2 it appears that the existing building has a lower ground level. The FRA has not confirmed the existing floor levels of the building, which could be compared against the likely fluvial flood levels for the rivers Spodden and Roch. It may be the case that the lower ground levels are at higher fluvial risk than the flood zone 2 zoning suggests.

Section 8 of the FRA states "In the event of extreme emergency the local authority and other emergency services have contingency plans for dealing with the consequences of flooding". The developer is responsible for showing that any development would be "safe" without relying on emergency services. Any users of the development, especially those at lower levels, could potentially be reliant on a flood warning and evacuation plan for their safety.

Advice to the applicant

We recommend the applicant produces a flood warning plan for the occupiers and users of the proposed development. Advice is available in the ADEPT/EA Flood Risk Emergency Plans for New Development guidance: - <https://www.adeptnet.org.uk/floodriskemergencyplan>

Contaminated Land

The proposed development site appears to have been the subject of past industrial activity which poses a risk of pollution to controlled waters.

We have not undertaken a detailed review of the risk posed to controlled waters from land contamination and would therefore advise that you refer to our published Guiding Principles for Land Contamination which outlines the approach we would wish to see adopted to managing risks to the water environment from this site.

We also recommend that you consult with your Environmental Health / Environmental Protection Department for further advice on generic aspects of land contamination management. Where planning controls are considered necessary, we would recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by Paragraph 109 of the National Planning Policy Framework.

Advice to the applicant

The development could have the potential to be regulated under the Control of Major Accident (COMAH) Regulations and may require Planning (Hazardous Substances) Regulations 2015. Details can be obtained from the Health and Safety Executive who should also be consulted on the proposals. HSE: Control of Major Accident Hazards (COMAH). The COMAH Regulations are enforced by the Competent Authority (CA) which comprises the Health and Safety Executive (HSE) and the relevant environmental regulator: the Environment Agency (EA) in England, acting jointly. The nature of these activities should be considered in terms of potential risk and in relation to other activities alleged to be operating on this site too. The activities could have the potential to be permitted by the Environment Agency (or Local Authority) under the Environmental Permitting Regulations and the applicant should seek advice accordingly Environment Agency - GOV.UK (www.gov.uk)

This development may require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the bank of the River Spodden which, is designated a 'main river'. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

Storage of materials/chemicals/oil likely to cause pollution

Materials and chemicals likely to cause pollution should be stored in appropriate containers and adhere to guidance for the storage of drums and intermediate bulk containers.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges, and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land, or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Appropriate procedures, training and equipment should be provided for the site to adequately control and respond to any emergencies including the clean-up of spillages, to prevent environmental pollution from the site operations.

We advise that polluting materials and chemicals are stored in an area with sealed drainage.

We recommend that all pesticide sale and supply/distribution stores meet the recommendations of the Code of Practice for suppliers of pesticides to agriculture, horticulture and forestry and where appropriate membership of the BASIS government recognised inspection scheme.

Please contact our National Customer Call Centre (Tel: 03708 506 506) for further information and guidance.'