

## Officer Report

**Case Reference:** NOT/2026/0489  
**Location:** SUDDEN MILL, MANCHESTER ROAD, ROCHDALE, OL11 4QR  
**Proposal:** Prior approval for conversion of ground floor commercial/business use to form 3no. apartments  
**Recommendation:** Approve with Conditions  
**Officer:** Luke Rigby

### SITE

The application site relates to a two-storey building (previously occupied by Homegrace Outlet selling pillows and bedding). There is a large single storey flat roof addition to the rear which is currently occupied by Lancashire Wallpaper & Paint Co. The site is next to Sudden Brook and close to the roundabout with Manchester Road, Bolton Road and Silk Road.

The site falls within the Defined Urban Area as designated in the UDP and the front of the site falls within a Coal Mining Development High Risk Area and a small section of the rear of the site falls within Flood Zone 2 and 3.

### PROPOSAL

The application seeks prior approval for the conversion of the ground floor from commercial (Use Class E) to residential.

### RELEVANT PLANNING POLICY

The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

### RELEVANT SITE HISTORY

PL/2026/0207 – Alteration to existing entrance door and window on front elevation off Manchester Road. Grant subject to conditions.

25/00937/PRA56 - Prior approval for the conversion of first floor offices / light industrial to 5 apartments Prior Approval Required and Approved.

### REPRESENTATIONS

In accordance with the Council's adopted Statement of Community Involvement, notification letters were sent to immediate neighbours.

## SUMMARY OF CONSULTATION RESPONSES

### Environmental Control (Landfill Gas)

*The site was represented as open space, likely agricultural, at the time of the earliest Ordnance Survey maps of the area (1840s). By the 1890s, the site was occupied by the Littlefields Cotton Mill (with 320 looms, manufacturing T cloths and flanelettes, amongst other material). By the 1950s, the site was known as Sudden Mills and was for cotton and dyeing. By the 1970s, the site was just labelled a "Works".*

*Given these land uses, and the sensitive end use, I would expect to see an assessment relating to the sites suitability regarding contamination. As one has not been submitted, I would request the following condition should you deem to grant permission:*

*"Preliminary Risk Assessment.*

*Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.*

*Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.*

*In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority."*

### Highways Department

No response received.

### LLFA/Drainage

*No drainage proposals have been submitted and are required.*

*If existing surface water drainage is found to discharge to a combined sewer, then continuity of this would not be acceptable in principle.*

*If existing surface water drainage is found to discharge without attenuation, then continuity of this would not be acceptable in principle.*

*If the site is proposed to be more fully redeveloped, then the drainage and flood risks should be assessed from a wider perspective.*

*Any subsequent application (full or outline) should include a Drainage Strategy incorporating sustainable drainage proposals*

#### Environmental Health (Noise/Odours)

No response received.

#### Conservation and Design

*Thanks for consulting me on this prior approval application for the partial conversion into apartments. Sudden Mill is included on the Council's register of non-designated heritage assets. Part 3, Class MA of the GPDO 2015 (as amended) does not allow for any external changes to be made. Planning permission has been granted separately for the external alterations. There are no objections to the proposed use for residential purposes. Kind regards*

#### Environment Agency

*First Response: In the absence of a flood risk assessment (FRA), we object to this application and recommend that planning permission is refused. Reason(s) The application site lies within Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding. The NPPF (paragraph 181, footnote 63) and the Flood Risk and Coastal Change Planning Practice Guidance (paragraphs 20 and 21) states that an FRA must be submitted when development is proposed in such locations. An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission.*

*Second Response: We have reviewed the submitted Flood Risk Assessment, dated July 2026, and consider that this satisfactorily addresses our earlier concerns. We therefore withdraw our previous objection, dated 24 July 2026, and make the following comments.*

#### *Land contamination*

*The previous use(s) of the development site relating to cotton mills suggest that the land may be affected by contamination. Land contamination can harm human health, soils, ecosystems, property, drinking waters supplies, groundwater and surface water. Land contamination is a material planning consideration. The planning decision should ensure that the site is suitable for its proposed use, considering any risks from contamination and any proposed land remediation The planning application should therefore be supported by adequate site investigation information, prepared by a competent person. After remediation is carried out, as a minimum, the land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990. This approach is supported by paragraph 196 of the National Planning Policy Framework.*

*The previous use(s) of the site may present an unacceptable risk of contamination that could be mobilised during site works and construction, potentially leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A.*

*The proposed development will be acceptable, if a planning condition is included requiring the submission and validation of a detailed land contamination management strategy for unsuspected contamination during the enabling, construction and/or development works. By cleaning up land contamination, it will be helping to protect and improve the groundwater quality that supports existing drinking water supply, future supply of drinking water and other environmental uses.*

*Without this condition we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.*

#### **Condition**

*If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved. Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraphs 187 and 196 of the National Planning Policy Framework.*

### **SUMMARY OF THIRD PARTY RESPONSES**

None received.

### **ASSESSMENT**

Class MA to Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows for the conversion of a commercial, business, or service use to residential. Such provision is lawful on the basis that the applicant apply to the Local Planning Authority for confirmation on whether prior approval would be required.

Class MA was amended on March 5th, 2024 and several provisions were revoked and are therefore omitted from the assessment herein.

#### **Permitted Development**

**MA.** Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

#### **Development Not Permitted**

**MA.1** (1) Development is not permitted by Class MA–

(b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval.

**COMPLIES – Based on the information available to Officers, there is no reason to believe that the use of the premises has changed outside of Class E use and therefore on the balance of probabilities, Officers are satisfied that the application site fell within a Class E use for a continuous period of at least 2 years prior to the date of the application for prior approval.**

(d) if land covered by, or within the curtilage of, the building

i) is or forms part of a site of special scientific interest;

ii) is or forms part of a listed building or land within its curtilage

iii) is or forms part of a scheduled monument or land within its curtilage

iv) is or forms part of a safety hazard area; or

v) is or forms part of a military explosive storage area

**COMPLIES – The land covered by or within the curtilage of the building does not form any of the designations listed under paragraph d)**

e) if the building is within–

i) an area of outstanding natural beauty

ii) an area specified by the Secretary of State for the purposes of Section 41(3) of the Wildlife and Countryside Act 1981

iii) the Broads

iv) a National Park; or

v) a World Heritage Site

**COMPLIES – The building is not within any of the designations listed under paragraph e)**

f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and tenant has been obtained; or

**COMPLIES – the site is not, as far as can practically be ascertained, and on the balance of probabilities, occupied under an agricultural tenancy**

g) before 1 August 2022, if—

(i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and

(ii) the development would not have been permitted under Class O immediately before 1st August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

**COMPLIES – the site is not located in an area where a Article 4(1) Direction would have applied and does not fall within Class O of this part of the Order.**

### **Conditions**

**MA.2** Development under Class MA is permitted subject to the following conditions

(2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

a) transport impacts of the development, particularly to ensure safe site access;

**Policy TR6 of the NPPF states that a development should only be refused on highway reasons where the impacts on the transport network would be severe, or where the impacts on highway safety would be unacceptable.**

**As such, the Council's Highways Officer was consulted to assess the potential transports related impacted of the development, however no response was received.**

**Notwithstanding, the application site is in a highly sustainable location where residents would not be reliant on a car, and it is noted that the Highways Department raised no concerns over an identical proposal to the first floor. Officers therefore consider that the proposed development would have no unacceptable impacts on transport, the wider highway network, or site access.**

b) contamination risks in relation to the building;

**The Case Officer consulted with Environmental Control who have requested a Preliminary Risk Assessment to be attached in the event of any approval given the sites history as a mill. The Environment Agency have also raised concerns over contamination and request the addition of a condition in relation to contamination, stating:**

***"The previous use(s) of the site may present an unacceptable risk of contamination that could be mobilised during site works and construction, potentially leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A.***

***The proposed development will be acceptable, if a planning condition is included requiring the submission and validation of a detailed land contamination management strategy for unsuspected contamination during the enabling, construction and/or development works. By cleaning up land contamination, it will be helping to protect and improve the groundwater quality that supports existing drinking water supply, future supply of drinking water and other environmental uses.***

***Without this condition we would object to the proposal in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the***

***development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution."***

Whilst it is acknowledged that Environmental Control were consulted on a previous application for the first floor conversion and requested the same condition, the Case Officer for that application did not consider such condition necessary. Officers consider the conversion of the ground floor to be at a higher risk of impact from contamination than the first floor and therefore consider the imposition of such condition reasonable in this instance.

Subject to the above conditions, Officers consider that the effects of contamination can be mitigated.

c) flooding risks in relation to the building;

The Environment Agency Flood Map for Planning identifies the site as lying within Flood Zones 2 and 3 and there are areas of surface water flood risk within the site boundary. The Environment Agency were consulted on the proposal and objected on the basis that no Flood Risk Assessment had been provided and the site was at risk of flooding. A subsequent Flood Risk Assessment was submitted by the applicant and following re-consultation, the Environment Agency withdrew their objection.

The LLFA were consulted and note that the existing site is raised significantly above existing flood risk levels and is therefore at low risk from flooding overall.

The Environment Agency have given general guidance and recommend the installation of flood resistance infrastructure and it is recommended that the applicant consider this guidance.

It is acknowledged that the LLFA have raised an objection regarding the drainage of the site. The application form indicates that the development will utilise the existing drainage arrangements on site. Whilst the LLFA raises some concerns over this, drainage is not a matter which falls to be considered under Class MA of the Order. The LLFA does not indicate that the existing drainage solutions would give rise to an unacceptable level of flooding and therefore the proposed development is considered acceptable in relation to flooding.

d) impacts of noise from commercial premises on the intended occupiers of the development;

Typically, sound insulation between floors in itself is dealt with under Approved Document E via Building Control. However, internal noise conditions need to be ascertained and understood to ensure the development is appropriate for its location, taking into account living conditions, including reducing to a minimum the potential adverse impacts resulting from noise on health and the quality of life. In this instance, it is recognised there are potential sources of noise levels within the vicinity of the site notably from the adjacent highway and the associated vehicular traffic.

**The first floor of the development was granted permission in 2025 for conversion to residential under Class MA of the Order, therefore following this application, the entire building would be residential in nature.**

**Notwithstanding, no Noise Impact Assessment has been submitted to demonstrate that noise from external sources – such as the adjacent highway and neighbouring uses – can be mitigated to an acceptable level. It is considered, however, that such assessment and mitigation methods can be secured by way of condition.**

(e) where—

(i) the building is located in a conservation area, and

(ii) the development involves a change of use of the whole or part of the ground floor,

the impact of that change of use on the character or sustainability of the conservation area;

**NOT APPLICABLE – not located in a Conservation Area**

(f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

**The submitted floor plans indicate that each room habitable room within the building would be served by a window which would provide adequate natural light to ensure a satisfactory level of amenity for future occupiers.**

**Notwithstanding, it is acknowledged that this is only possible by the relocation of the door and replacement with 1No. window to the front elevation of the building. Class MA does not confer the ability for any external alterations. The replacement window, therefore, is the subject of previously approved application PL/2026/0207. It is therefore considered prudent that the installation of this window in accordance with that permission is secured by way of condition prior to occupation as a residential unit and that this window is retained in perpetuity for the lifetime of the development.**

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;

**The application site is not in an area that the Local Planning Authority considers to be important for general or heavy industry, waste management, storage or distribution.**

(h) where the development involves the loss of services provided by—

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006,

the impact on the local provision of the type of service lost

**As far as can practically be ascertained, the site, specifically the ground floor to which the application relates, is not in use for any of the purposes outlined in (h), therefore such consideration is not applicable.**

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building

**NOT APPLICABLE – the development does not meet the fire risk condition.**

### **Nationally Described Space Standards**

Article 3 (9A) of the GPDO states that ‘Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse—

(a) where the gross internal floor area is less than 37 square metres in size: or

(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

The Nationally Described Space Standards (NDSS) are technical standards produced by Central Government to ensure internal space within new dwellings is suitable for application across all tenures.

The proposed development proposes 3No. self-contained apartments at ground floor. The NDSS requires that for a 1 person, 1 bedroom apartment, a minimum of 39sqm is provided; where a shower room is present instead of a bathroom, this requirement is relaxed to 37sqm. Each apartment would provide in excess of the minimum requirements and is therefore in compliance with the NDSS.

### **CONCLUSION**

The application site is not subject to any of the specified exclusions in MA.1 and therefore benefits from Permitted Development Rights under Class MA to Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). As set out above, the Local Planning Authority considers the proposed development acceptable in respect of the conditions set forth in MA.2 of the Order.

The Local Planning Authority, however, considers that this acceptability is contingent on securing the addition of the 1No. window to the ground floor via condition, and securing a Noise Impact Assessment and verification report, and a Preliminary Risk Assessment in relation to contamination to be submitted. Prior Approval is therefore required and approved.

**Recommendation:** Approve with Conditions

### **Condition(s) (5)**

- 1 The development must be completed within a period of 3 years starting with the prior approval date.

Reason – To comply with the requirements of Paragraph MA.2 of Part 5, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 2 Prior to first occupation of Apartment No. 6 (shown on DWG No. 24/89-02 Revision A) hereby approved, the ground floor window shown on approved DWG No. 26/31-01 (Revision A) shall be installed in accordance with the details approved under planning permission PL/2026/0207 and shall thereafter be retained as such for the lifetime of the development.

Reason – To ensure the provision of adequate natural light to the approved dwelling and to protect the living conditions of future occupiers, having regard to MA.2(2)(f) of Class MA, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 3 Prior to first occupation of any of the apartments hereby approved, a Noise Impact Assessment, including a scheme of ventilation and for acoustically insulating the proposed accommodation against noise from Manchester Road and the surrounding commercial uses (including those within the same site), shall be submitted to, and approved in writing by, the Local Planning Authority.

No part of the development hereby approved shall be occupied until such time as a verification report has been submitted to, and approved in writing by, the Local Planning Authority to confirm that the approved noise insulation and ventilation scheme measures have been implemented to achieve the required maximum noise levels. The noise attenuation and ventilation measures shall be retained as installed thereafter.

Reason – To safeguard the amenities of residents in order to comply with the requirements of Policies G9 and DM1 of the adopted Rochdale Core Strategy, Policy JP-P1 of the adopted Places for Everyone Joint Development Plan and the National Planning Policy Framework.

- 4 Prior to first occupation of the development hereby approved, details of how refuse and recycling collections will be stored and managed from the site (including returning of bins to store), shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter refuse storage, collection and returning of bins to store will be carried out fully in accordance with the approved details and the bin store shall be retained for use by the occupiers of the building at all times.

Reason – To ensure the provision of satisfactory facilities for the storage of refuse and to ensure the area is suitable for safe access and in the interests of visual amenity in accordance policies DM1 and P3 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

- 5 Prior to commencement of the development a Phase I Report (Preliminary Risk Assessment) must be completed to assess the actual and/or potential contamination risks at the site. The Phase 1 Report must be submitted to, and approved in writing by, the Local Planning Authority and shall include a desk top

study, site walk over, conceptual model, basic hazard assessment and recommendation regarding the need or otherwise for further investigation and risk assessment.

Where the Phase 1 Report has identified potential unacceptable risks, a suitable investigation, risk assessment and remedial action shall be carried out in accordance with details and within a timescale to have first been submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is suspected or found at any time when carrying out the approved development that was not previously identified, or contamination is caused, the Local Planning Authority shall be notified immediately and development affected and potentially affected by the contamination must stop. An investigation and/or risk assessment and/or remediation shall be carried out in accordance with an agreed process and within agreed timescales to have first been submitted to and approved in writing by the Local Planning Authority. If contamination is not suspected, found or caused during development, this must be confirmed in a completion letter which is subject to the approval in writing of the Local Planning Authority

Reason: To ensure that risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are identified and appropriately addressed, and to ensure that the development is suitable for its proposed use in accordance with the National Planning Policy Framework.

For the avoidance of doubt this decision relates to the following plans/documents:

1

- DWG No. 26/31-01 Revision A (Existing and Proposed Elevations)
- Location Plan
- DWG No. 24/89-02 Revision A (Proposed Floor Plans)
- DWG No. 24/89-04 Revision A (Proposed Block Plan)
- Flood Risk Map
- Flood Risk Assessment (July 26)