

Email sent 19 April 2022 and response 20 April

Dear ... Head of Planning,

I've reviewed the information you've supplied below and the officers report from 2017. The issue of Hollins Mill is scheduled to be discussed at the Development Committee Meeting on 27 April. I will need to report back on the specific questions highlighted below and therefore would be grateful for a detailed response by Friday 22 April on these. It is interesting to note that these questions were originally asked 12 months ago.

Enforcement Action/Issue of Completion Notice

Reading the officers report from 2017 begs the question about ***what specific actions planning enforcement has undertaken to date to ensure that the work done to the site meets the conditions of the planning permission?*** I assume that the meeting you attended on 2 April discussed this issue?

It seems that originally the owner wanted to demolish the whole of the weaving shed but that this was declined. Unless enforcement action takes place to repair and protect the remaining part of the building it is likely it will be in such a poor condition that the rest will need demolishing also. This would, in effect, allow permission for the original request.

I should be grateful if you could please list, in detail, what enforcement activity will be undertaken now and what timescales are attached to this? One of the conditions stated that the original materials removed from the building should be reused on the site. It does not appear that this has happened, but heavy Lego-style concrete blocks have been used to infill the gap below the weaving shed window. The use of these is clearly inappropriate on a grade 2 listed building. I wonder if the original materials are still available or whether they have been sold? Will the owner be required to remove these inappropriate materials and replace them with authentic ones?

It is quite clear that the work done to the weaving shed was done around 3 years ago and has since stalled. No work has been done since. ***I understand that a strategy that can be used by local planning authorities is the issue of a 'completion notice'. What criteria do you use to apply this strategy?*** My understanding is that a completion notice can be served on an owner in relation to an uncompleted development, which, if not complied with, results in the relevant planning permission being invalid. I understand that local planning authorities can issue a completion notice where development has stalled, and the authority is of the opinion that it will not be completed within a reasonable period. A completion notice may be served where planning permission has been implemented before the commencement deadline but has not been completed after this deadline has elapsed. ***Surely this strategy and the powers to act on this are relevant in this case?***

Other Specific Issues

1. ***Another issue is that of the height of the retaining wall on Rochdale Rd and the weight of this on the river underneath.***
[REDACTED] has expressed great concern about this, especially in view of the essential demolition of Shade Chapel as it was collapsing into

the river. I understand that the river under Hollins Mill has been inspected and there was no immediate danger. However, ***is this something that can be guaranteed for the future?***

2. Marshall raised the further issue about flooding in the Hollins Mill car park and that this has deteriorated since the work has been done to the weaving shed. ***What steps will be taken to investigate the issue so that this does not exacerbate the existing problems of flooding on Rochdale Rd.***
3. Finally, ***what enforcement action is planned for the replacement of the UVPC windows on the 2-storey building on the other side of the Hollins Rd site?*** Unauthorised work has taken place in the building (prior to the rejection of the Dog Day care Centre application). Although the building has been approved for conversion into a dwelling this building is used for collecting and despatching deliveries for eBay. ***Does this contravene the use for which planning has been approved?***

Kind regards,
Assistant Town Clerk

Email Received 20 April 2022

Dear Assistant Town Clerk,

Thank you for your email.

I am away from the office this week with only patchy access to email, so it's not entirely realistic to expect a detailed response within three days. Nevertheless I shall endeavour to respond to the extent that I can.

Completion Notice

I fear that my previous advice may have been lost in translation and as such I have attached an annotated photograph:

- **Area A:** Historic England and the Council considered the structural information accompanying the Planning and Listed Building Consent applications and consent was granted for this area to be demolished. It has not yet been fully demolished and hence my comment that the development was partially complete. My interpretation of the TC's position is that you believe that the Council should take action to require the landowner to complete the demolition and construct the new units (that matched the design of the shed), which were consented at the same time as the demolition. My initial opinion on this matter is that it wouldn't be expedient to pursue this strategy. A completion notice doesn't guarantee that a development is completed nor withdraw consent for works already completed, so it doesn't materially advance the

situation. This is the main reason that completion notices are very rarely used by Councils – I've certainly never come across one being used.

- **Area B:** As explained previously, we are concerned about the removal of the gable ends of the North lights and we are minded to pursue this aspect further. However, the timing of such action is in the context of all our other enforcement priorities. I would anticipate us prioritising this during the current first quarter of 2022/23.
- **Area C:** This area was to be retained on the consented scheme because it was found to be in better structural condition than other areas of the shed. I shall seek the comments of our conservation officers on the facing of the recently exposed sections of the shed. I am mindful though that the concerns about the structural condition of this part of the shed are not specifically evidenced.

Retaining wall to Rochdale Road

If the river under Hollins Mill has been inspected and no immediate danger identified, I cannot see what further action is required at the current time. Of course the future condition of such structures cannot be guaranteed, but decline would presumably be picked up through future inspections. I will copy this email to our drainage team because I believe this falls within their purview.

Flooding of Hollins Mill car park

I have not been provided with any clear evidence that points to the shed works exacerbating flooding of the car park; however, I shall forward to our drainage team for their observations.

Two-storey mill building

I haven't been able to access our Listed Building maps from my remote location; however, we need to establish definitively whether two-storey building forms part of the Listed complex, and if so what it's historic significance is. This is a matter that I'll need to talk to colleagues about when I return to the office.

I couldn't say without further investigation whether collecting and dispatching Ebay orders is a material change of use; however, it would appear to be an appropriate use for a mill building, which could be use for a range of commercial uses. We would not therefore investigate this allegation further in the absence of any clear evidence of inappropriateness.

I trust that this email is of assistance. Please come back to me if you require further clarification; however, as explained above I cannot guarantee that this would be by Friday.

Kind regards

Head of Planning