

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
25/00292/DEM	Claire Ringwood	28 th April 2025

Address: Vaynor, Lower Falinge, Cronkeyshaw, Rochdale, OL12 6QZ

Proposal: Prior approval for the demolition of 6 blocks: 417-444 Vaynor, 401-416 Ullesthorp, 265-276 Ollerton, 233-264 Newstead, 349-360 Romsey and 321-348 Quinton

PUBLICITY	Weekly list expired?	N/A	Site notice expired?	N/A
	Neighbour letters expired?	N/A	Press Notice expired?	N/A

DELEGATION	Significant departure from local plan?	N	Contrary to national policy?	N
	Applicant a Council Member or officer?	N	Contrary to previous decision?	N
	Major with 10 or more objections and recommending approval?	N	Called in or Planning Panel objection?	N

COMMENTS	Planning Panel comments received?	N/A
	Neighbour comments received?	N

EIA	Screening opinion completed and saved to Onbase?	N/A
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CONDITIONS	Pre-commencement conditions proposed?	Y
	Pre-commencement conditions agreed (or notification period expired)?	Y

RECOMMENDATION	PRIOR APPROVAL GRANTED
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CHECKED AND SIGNED OFF BY: RG

DATE: 29 April 2025

SITE

The application site relates to a group of six apartment blocks to the north of Spotland Road namely, Quinton, Vaynor, Ullesthorp, Ollerton, Newstead and Romsey. The buildings were constructed circa 1970s and consist of 'stacked maisonettes'. All six buildings are rectangular and have accommodation arranged over four storeys (ground + 3 upper floors) and similar in appearance, consisting of concrete textured external walls and hipped tiled roofs. There are other similar blocks around the site which are to remain.

The sites are within the Defined Urban Area (G/D/1) and Physical Regeneration Area (G/R/1), SSSI Impact Risk Zone and within close proximity to an Air Quality Management Area as identified in the Proposals Map of the saved UDP. The sites are also to the west of the St Edmunds Church Falinge Conservation Area.

PROPOSAL

The application gives prior notification, pursuant to the provisions of Schedule 2, Part 11, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), of the proposed demolition of 6 of the existing buildings on site. Relevant matters are the method of demolition and the proposed restoration of the site.

PLANS AND DOCUMENTS SUBMITTED

Location Plan

Outline Method Statement by FREEELEY, Rev. 0 (19/03/2025)

Inspection & Assessment in Relation to Bats & Breeding Birds by Tyrer Ecological Consultants Ltd, Project Ref: PR-0260-24, Issue No: 1.0, Date of Issue: 13/11/2024

Dusk Survey Results by Tyrer Ecological Consultants Ltd, Project Ref: PR-0260-24, Issue No: 1.0, Date of Issue: 14/11/2024

Received 21st March 2025

Site Notice photographs

Received 27th March 2025

Statutory Biodiversity Metric

Asbestos Surveys for Newstead, Ollerton, Quinton, Romsey, Ullesthorpe and Vaynor

Site Notice

Site Notice Photographs

Received 3rd April 2025

Dusk Survey Results by Tyrer Ecological Consultants Ltd, Project Ref: PR-0260-24, Issue No: 1.0, Date of Issue: 14/11/2024

Received 25th April 2025

RELEVANT PLANNING POLICY

National Guidance

National Planning Practice Guidance (NPPG)

Legislation

Part 11 of The Town and Country (General Permitted Development) (England) Order 2015 (as amended)

RELEVANT SITE HISTORY

None.

SUMMARY OF CONSULTATION RESPONSES

Environment Agency

No comments received.

Environmental Health – Air

No objection.

Environmental Health – Noise

No objection to the demolition statement.

Environmental Protection (Land)

Summary: A condition is required for the import of top soil. The Asbestos Plan of Works also needs to be submitted.

[Officer Note: The Asbestos Plans were submitted and there is asbestos within the buildings. Environmental Protection (Land) advised this only becomes a problem if the asbestos is not removed prior to demolition].

Highways

Summary: No objection subject to a dilapidation survey being secured by condition.

Greater Manchester Ecology Unit

Summary: Protected species have been recorded at some of the buildings and adequate mitigation and protection is required which need to be secured by way of condition.

REPRESENTATIONS

No direct notifications have been issued by the Local Planning Authority. Site notices have been displayed at the site by the applicant, as is a requirement under Part 11 of the GPDO. A petition has been submitted along with 45 letters of objection and 1 letter of support (although no reasons for the support were given) with the following comments:

1. RBH have deliberately kept these homes empty and failed to maintain and repair them;
2. The homes should have been rented to people in need of homes;
3. Why are the homes not being refurbished and maintained;
4. Why are properties being demolished without any plans to rebuild new homes for people and when there is a housing crisis;
5. RBH have not consulted existing residents about this demolition;
6. Loss of car parking areas for residents, shop owners, visitors and shoppers;
7. Impact on local businesses where there is no longer passing trade;
8. Increase in noise and dust pollution;
9. Increase in air pollution;
10. Loss of green space and trees;
11. Loss of biodiversity;
12. Impact of loss of green space on wellbeing and physical health;

13. Impact of the demolition on mental health and wellbeing;
14. Some of these homes are very accessible friendly and some large enough to house families;
15. The Council is committed to increase the supply of homes, not deplete it;
16. RBH have refused to do maintenance work for properties not being demolished;
17. Has an equality impact assessment been done to look at how the proposed removal of these homes will impact the community;

Officer Note: It should be highlighted that this is not a planning application. Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) allows these types of applications to be used for proposals to demolish a building or structure where the demolition is covered by 'permitted development' rights.

Permitted development rights are a national grant of planning permission which allow certain building works including demolition of buildings can be carried out without needing to make an application for express planning permission from the Local Planning Authority. Permitted development rights are subject to conditions and limitations to control impacts and to protect local amenity.

Although demolition works are known as 'permitted development', the applicant must apply to the Local Planning Authority to see if its prior approval will be required for the method of demolition and any proposed restoration of the site. The purpose of this control is to give Local Planning Authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity, and the scope of such prior approval is limited to these considerations. The principle of demolition has already been established and the statutory requirements relating to prior approvals are much less prescriptive than those relating to planning applications. This means that the Local Planning Authority are only able to consider specific matters that are addressed in the conditions and limitations below.

ANALYSIS

Permitted Development

Schedule 2, Part 11, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) permits any building operation consisting of the demolition of a building, subject to the exclusions set out in paragraph B.1. In relation to this paragraph it is noted that criteria (b) to (e) are not applicable. With regards to criteria (a) the buildings have been vacant for a time and objectors have made reference to this. The applicant has noted that the empty blocks have suffered vandalism and anti-social behaviour and clarified that the buildings have been vacant due to upcoming proposals for redevelopment within the area. Vacancy does not in itself trigger criteria (a) and in this instance the applicant has taken actions to protect the buildings from deterioration through vandalism. The buildings as a whole remain substantive and in appropriate condition and it is not considered that the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land. As such the proposal does not fall within any of criteria (a) to (e).

Class B.2 of the same, states development is permitted by Class B subject to relevant conditions:

(a) where demolition is urgently necessary in the interests of safety or health and the measures immediately necessary in such interests are the demolition of the building the developer must, as soon as reasonably practicable, give the local planning authority a written justification of the demolition;

(b) where the demolition does not fall within paragraph (a) and is not excluded demolition –

(i) the developer must, before beginning the development, apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the method of demolition and any proposed restoration of the site

As highlighted above the submitted application form refers to the empty blocks as having suffered vandalism and anti-social behaviour but works have been undertaken to secure the buildings, which are in relatively good condition and are currently vacant, and as such the demolition cannot be considered to be urgently necessary in the interests of safety or health within the meaning of the GPDO and therefore the proposal does not fall within paragraph (a) and does not represent 'excluded demolition'. Therefore, the developer has correctly applied to the Council for determination as to whether prior approval is required in respect of the method of demolition and the proposed restoration of the site.

Class B.2 (b) continues under (iv) to set out that the applicant must display a site notice by site display on or near the land on which the building to be demolished is sited and must leave the notice in place for not less than 21 days in the period of 28 days beginning with the date on which the application was submitted to the local planning authority;

The applicant has provided photographic evidence of the site notices placed at the site and as such has satisfied the site notice requirements.

Therefore, in view of the above, the application constitutes permitted development under Schedule 2, Part 11 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The Local Planning Authority also note that the development does not fall under the requirements of EIA development as set out under Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Prior Approval of Details

As detailed under Class B.2 (b), the developer must apply for determination as to whether prior approval is required as to the method of demolition and any proposed restoration of the site.

The application includes an Outline Method Statement for the complete demolition of 6 blocks including slabs and foundations. The Outline Method Statement also includes, parking for site operatives and visitors, the loading and unloading of plant and materials, storage of plant and materials, vehicle movements (outline traffic management plan) including wheel washing, soft stripping of the site, removal of asbestos, machine and manual demolition of the building, removal of materials and recycling/waste. The Outline Method Statement sets out how these works will be undertaken and also identifies site access and welfare facilities for the contractors.

The applicant has also submitted Demolition Asbestos Survey Reports for all the properties which states that all asbestos containing materials identified within the stairs and bridge are to be removed prior to the commencement of demolition. This element of work will be covered by a separate Plan of Work and will be carried out in accordance with Control of Asbestos Regulations 2021. These surveys have been reviewed by the Councils Environmental Health Officers who raised no objection subject to the removal of asbestos prior to demolition.

There are existing residential properties surrounding the blocks to be demolished who will be impacted by noise and disturbance during the demolition process. This is unavoidable however, the Outline Method Statement sets out how the impacts will be mitigated as through best practice measures and advises that neighbouring residents and businesses will be informed of the project including the programme, potential disruptions and HSEQ measures.

The Outline Method Statement also states that agreed working hours and deliveries are only allowed Monday-Friday (excluding bank holidays) 8:00 to 17:30 (secure by condition).

The Outline Method Statement also states that demolition will be top downwards utilising the smallest 'drop' possible to reduce the impact of noise, dust and vibration and sets out health and safety requirements during the works. The Council's Environmental Health (Noise) Officer has reviewed the application and raised no objection subject to a condition to ensure the demolition is undertaken in complete accordance with the Outline Method Statement.

In addition to the above the application confirms that as part of the site set up, the site will be fully secured with heras fencing affixed with debris netting.

A dedicated HGV entrance/exit will be created between Vaynor and Ullesthorpe off Sherriff Street. The Council's Highways Officer has raised no objection to the application subject to a dilapidation survey being secured by condition to ensure any new damage to the footway is remediated upon site completion.

The Outline Method Statement clarifies that a photographic dilapidation survey of the site, including footways and carriageways leading to and abutting the site is to be carried out both prior to the erection of fencing and prior to the demolition works commencing. It also states that surveys should also include photographs of adjacent road surfaces.

In addition to the above, the submitted Outline Method Statement states that the site is to be top soiled and seeded on completion and a timber post and knee fence erected.

In addition to the above an Inspection & Assessment in Relation to Bats & Breeding Birds along with a Dusk Survey Results (updated) have been submitted. The Council's Ecologist has reviewed these documents and advised that the Quinton, Vaynor and Zedburg buildings are considered a resting place for bats (Zedburg is not covered by this application) and as such a Protected Species Licence will be required to be granted by Natural England.

Section 6.0 Indicative Mitigation of the Dusk Survey Results, November 2024 proposes mitigation measures which have been reviewed by the Council's Ecologist which in summary comprises:

- ❑ Installation of roost boxes prior to work commencing to allow for suitable roost alternatives to potentially be adopted by the bat population prior to demolition and to provide safe receptor site for any bats discovered during the works;
- ❑ Provision within the site of replacement permanent roost boxes, likely to be located on retained trees on the site; and
- ❑ Pre-commencement checks and supervision of works such by licenced Ecological Clerk of Works.

This matter will be secured by way of condition.

In respect of nesting birds, suitable nesting habitat is present on the site including within the trees, vegetation and buildings. Opportunities for species such as feral pigeon and house sparrow were observed. An informative is considered reasonable to ensure no works are undertaken during the bird nesting season unless it can be concluded that no breeding activity is present.

The potential for species such as hedgehog to be present on the site has been identified therefore, if any vegetation clearance is required, Reasonable Avoidance Measures will be required (secure by condition).

In regards to BNG, a Statutory Biodiversity Metric has been submitted and the Council's Ecologist has advised that if the application only involves demolition and removal of buildings, and no other habitats will be impacted then the application is likely to be exempt from BNG. The agent has confirmed that BNG was submitted for information only and the works at this stage only involves demolition.

Further to the above, the demolition and restoration of the site is acceptable and the recommendation is that prior approval be granted.

RECOMMENDATION

PRIOR APPROVAL IS REQUIRED AND GRANTED subject to the following conditions

1. The demolition hereby approved shall be carried out in full accordance with the Outline Method Statement by Freeley Ltd, Rev: 0 (19/03/2025). The site shall thereafter be restored and maintained in accordance with this approved document.

Reason: In the interests of amenity and highway safety in accordance with policies P3, G9, DM1 and T2 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

2. Following the completion of the demolition works hereby approved, the site shall be top soiled and seeded as detailed in the application form.

Reason: to ensure the site is restored following the demolition in the interests of amenity in accordance with policies P3 and DM1 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

3. No demolition works shall be carried out outside of the hours of Monday to Friday 08:00-17:30 and no works shall take place on Saturdays, Sundays and Bank Holidays.

Reason: In the interests of safeguarding residential properties from noise and disturbance in accordance with policy G9 of the adopted Rochdale Core Strategy and the requirements of the National Planning Policy Framework.

4. Prior to any soil or soil forming materials being brought onto the site for use in garden areas, soft landscaping and level raising it shall first be tested for contamination and suitability for use on site. Proposals for testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to, and approved in writing by, the Local Planning Authority.

The approved contamination testing shall then be carried out and validatory evidence (including soil descriptions, laboratory certificates, photographs) submitted to, and approved in writing, by the Local Planning Authority prior to the development being brought into first use.

Reason: To prevent pollution of the environment and to ensure the safe restoration of the site in the interests of the amenity of future occupiers in accordance with Policies G8 and G9 of the Core Strategy and the National Planning Policy Framework.

5. Prior to the commencement of works, a photographic survey showing the pre-development photographic condition of the immediate highway surrounding each block at 5 metre intervals along its length, accompanied by a scheme for the resurfacing and/or repair of any potholes or areas of the road surface which have deteriorated in the intervening period (between pre and post demolition), shall be submitted to and approved in writing by the Local Planning Authority. Post demolition, the approved works of resurfacing and/or repair shall have been implemented in accordance with the details in the duly approved scheme.

Reason: Construction traffic associated with the demolition has the potential to cause further deterioration of the road's surface. The applicant is required to undertake works of repair to the road surface where deterioration arises as a result of its use by heavy construction vehicles in order to facilitate safe and convenient access and circulation for vehicle traffic in accordance with the requirements of Policy T2 of the adopted Core Strategy.

Reason for pre-commencement condition: To ensure safe access from the highway during construction and operation of the development.

6. Any demolition shall be undertaken in line with the conditions of a Natural England licence pursuant to Regulation 55 of the Conservation for Habitats and Species Regulations 2019, authorising the specified development to go ahead; OR a statement in writing from the relevant licencing body or the Local Planning Authority to the effect that it does not consider that the development will require a licence shall be submitted to the Local Planning Authority.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

7. Prior to any works commencing on site, the following bat mitigation measures shall be carried out:
 - Installation of roost boxes to allow for suitable roost alternatives to potentially be adopted by the bat population and to provide safe receptor sites for any bats discovered during the works;
 - Provision within the site of replacement permanent roost boxes, likely to be located on retained trees on the site; and
 - Pre-commencements checks and supervision of works such by licenced Ecological Clerk of Works.

Reason: In the interests of protecting protected species within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy and the National Planning Policy Framework.

Reason for pre-commencement condition: It is important to protect the protected species prior to the commencement of works.

8. No works of site clearance, preparation or machinery shall take place until Reasonable Avoidance Measures in respect of species, including hedgehogs have been submitted to, and approved in writing by, the Local Planning Authority. The approved Reasonable Avoidance Measures shall be adhered to throughout the entirety of the demolition and restoration works.

Reason: In the interest of species protection, in accordance with the requirements of adopted Rochdale Core Strategy Policies G6 and G7 and the National Planning Policy Framework.

Reason for pre-commencement condition: As the proposal requires ground works and engineering works it is necessary to ensure the protection of any badger setts that may be present.

Notes for Applicant:

1. For the avoidance of doubt, this decision relates to the following list of plans and documents:

Location Plan

Outline Method Statement by FREELEY, Rev. 0 (19/03/2025)

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Site Notice

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Received 3rd April 2025

Dusk Survey Results by Tyrer Ecological Consultants Ltd, Project Ref: PR-0260-24, Issue No: 1.0, Date of Issue: 14/11/2024

Received 25th April 2025

2. The applicant is advised that best practice guidance indicates that the results of bat surveys are only valid for a limited period (1 – 2 years) as the suitability of structures for bats can alter over time. In this case, if works have not commenced under licence within this timeframe then an updated bat survey will be required including 3 activity surveys during the maternity season. The updated survey shall include the details of any additional mitigation over and above what has already been provided.
3. The applicant is advised that no works to demolish the buildings or any vegetation clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to works and written confirmation provided to the Local Planning Authority that no active bird nests are present.