

## DELEGATED DECISION CHECKLIST AND REPORT

| APPLICATION NO. | CASE OFFICER    | DATE                           |
|-----------------|-----------------|--------------------------------|
| 25/01082/DEM    | Claire Ringwood | 25 <sup>th</sup> November 2025 |

**Address:** 95 Marland Fold, Rochdale, OL11 4RF

**Proposal:** Application for prior approval for the demolition of the dwelling

|           |                            |     |                       |     |
|-----------|----------------------------|-----|-----------------------|-----|
| 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 |
|-----|--------------------------------------------------|-----|

|            |                                                                      |   |
|------------|----------------------------------------------------------------------|---|
| CONDITIONS | Pre-commencement conditions proposed?                                | N |
|            | Pre-commencement conditions agreed (or notification period expired)? | N |

|                |                        |
|----------------|------------------------|
| RECOMMENDATION | PRIOR APPROVAL GRANTED |
|----------------|------------------------|

CHECKED AND SIGNED OFF BY: RG

DATE: 25 November 2025

## **SITE**

The application site relates to a detached 1½ storey bungalow in a residential area on the northern side of Marland Fold. The property has a pitched roof with front and rear gables and an attached flat roof garage. The surrounding area consists of chalet style bungalows of varying styles and designs.

The site is within the Defined Urban Area (G/D/1) and to the north of the site is a Greenspace Corridor (G/8) and a Recreational Management Area (RE/7) as identified in the Proposals Map of the saved UDP.

## **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 the existing dwelling. Relevant matters are the method of demolition and the proposed restoration of the site.

Planning permission (23/00663/HOUS) was granted in October 2023 for extensions and alterations to the existing property. However, works that have been implemented have been poorly constructed which has led to the property suffering from significant structural issues. The applicant seeks to demolish the existing property and erect a replacement dwelling on site (planning application 25/01103/FUL).

The submitted Covering Letter advises that a bat endoscope survey will be carried out prior to demolition in line with the recommendation in the Preliminary Ecological Assessment. Demolition is due to commence on 25<sup>th</sup> November 2025.

## **PLANS AND DOCUMENTS SUBMITTED**

Drawing No: 3000 Rev P01 – Site Location Plan

Drawing No: 3002 Rev P01 – Site Restoration Plan (Post-Demolition)

Covering Letter with Demolition Site Notice

2 x photos of site notice

Preliminary Roost Assessment by Arbtech Consulting Ltd, Survey Date: 25<sup>th</sup> September 2025, Issue: 1 dated 30/09/2025

Method Statement – Risk and COSHH Assessment by H Bell & Sons ® Ltd Building Contractors, Issue Date: 23/10/2023, Job No: 4796

Structural Site Condition Report by Alvin Loh Consulting Engineers, Date: 12<sup>th</sup> November 2024, Ref: 224FA-095

Received 23<sup>rd</sup> October 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**

25/01103/FUL – Erection of replacement dwelling together with associated boundary treatments, landscaping, parking and solar photovoltaic panels, following demolition of existing dwelling. Pending consideration.

23/00663/HOUS - Part single / part two-storey rear extension including first floor terrace with glass partition walls, first floor gable extension, dormer extension to side elevations, canopy over existing garage and new primary entrance, insertion of 2no windows to side elevations and 1no rooflight and alteration to fenestration on front and side elevations. Approved 09/10/2023.

## **SUMMARY OF CONSULTATION RESPONSES**

### Environmental Health – Air

Summary: No comments to make.

### Environmental Health – Noise

No comments at the time of writing.

### Highways

Summary: No objection subject to a condition.

### Greater Manchester Ecology Unit

No comments at the time of writing.

## **REPRESENTATIONS**

No direct notifications have been issued by the Local Planning Authority. A site notice has been displayed at the site by the applicant, as is a requirement under Part 11 of the GPDO. No letters of representation have been received.

## **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 paragraphs B.1 (a) to (e). In relation to these paragraphs it is noted that the proposal does not fall within criteria (a) to (e).

B.1 (a) states development is not permitted by Class B if: *the building has been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having an interest in the land on which the building stands and it is practicable to secure safety or health by works of repair or works for affording temporary support.*

The dwelling has been rendered unsafe due to work undertaken by a contractor which is of poor quality and which has failed to comply with necessary building regulations across a number of areas. It is established in 'R (Save Britain's Heritage) v Herefordshire Council [2023]' that intentionality is not a consideration of this criteria. In the case being assessed here the contractor was instructed by the owners of the property to carry out works to the property. The contractor's specific works that have rendered the building unsafe however were not authorised by the owners actions and have effectively been undertaken outside of the control of the applicant. In this case the actions taken by the applicant are considered to be firstly to instruct

the construction of works approved under 23/00663/HOUS, and secondly, upon understanding the works were not being carried out as authorised, to have intervened through the instruction of further professionals to consider an appropriate course of action and to work alongside building control to ensure no further unauthorised works are carried out.

As part of the intervening actions undertaken above a Structural Site Condition Report has been submitted with the application. This report details that the property underwent renovations by a contractor that left the property poorly constructed leading to significant structural issues and due to bad workmanship, many areas showed signs of danger and risk. The report continues that there are no 'as built areas' which can be salvaged into any future development, and it was recommended that the whole house be demolished.

Overall, in considering criterion B.1 (a), it is considered that the building has been rendered unsafe or otherwise uninhabitable; that this was not by the action of the owner of the property whose actions have only been to instruct works which should have been carried out as authorised under the relevant regulations, and whom intervened when this was not the case; and that in any case, the condition of the building means that it would not be practicable to secure safety or health by works of repair or works for affording temporary support. As such, the proposed demolition complies with B.1 (a) of Class B.

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

In light of the Structural Site Condition Report discussed above, although there is no urgency to demolish the property in the interests of safety and health, the property is structurally unsound and will need to be demolished. The applicant 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) that:

(iv) 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 notice 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).

## Environmental Impact Assessment (EIA)

Environmental Impact Assessment Guidance states that the process of EIA in the context of town and country planning in England is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. These regulations apply to development which is given planning permission under Part III of the Town and Country Planning Act 1990.

The Guidance continues that these regulations apply the amended EU directive “on the assessment of the effects of certain public and private projects on the environment” (usually referred to as the ‘Environmental Impact Assessment Directive’) to the planning system in England. The regulations only apply to certain types of development. They can even apply to ‘permitted development’ which is development for which you do not need to get planning permission”.

The Guidance also states that:

*The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.*

There are 5 broad stages of EIA:

1. Screening;
2. Scoping;
3. Preparing an Environmental Statement;
4. Making a planning application and consultation; and
5. Decision making

### Screening

‘Screening’ is a procedure used to determine whether a proposed project is likely to have significant effects on the environment and therefore requires an assessment.

The Local Planning Authority should determine whether the project is of a type listed in Schedule 1 or Schedule 2 of the 2017 Regulations. If it is listed in Schedule 1 an EIA is required in every case; if the project is listed in Schedule 2, the Local Planning Authority should consider whether it is likely to have significant effects on the environment.

The relevant section of Schedule 2 is 10(b) Infrastructure Projects. The overall project for assessment is for the demolition of a single dwelling which will be replaced with one new dwelling. An EIA is therefore not required in this instance.

### 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 a Method Statement for the demolition of the existing dwelling. The Method Statement includes the loading and unloading of plant and

materials, storage of plant and materials, vehicle movements including wheel washing, soft stripping of the site, removal of asbestos (if applicable), 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 contactors.

The Method Statement clarifies that condition surveys will be carried out prior to works commencing of structures including neighbouring properties, boundaries etc, which may be adversely affected by the removal of the property or by noise, vibration and/or dust generated during the demolition.

The Method Statement also states that agreed working hours and deliveries are only allowed Monday-Friday (excluding bank holidays) 07:30 to 16:30 however, as the property is surrounded by other residential properties, the hours of working will be conditioned to be Monday to Friday 08:00-17:30 and no works on Saturdays, Sundays and Bank Holidays.

The Method Statement also states that vehicle access will be carefully controlled and deliveries and collections will be scheduled to avoid peak traffic (08:00-09:00 and 17:00-18:00) and a banksman will control all vehicle movements near the entrance and within the site boundary. Where larger vehicles cannot enter the site, materials and waste will be transferred using smaller plant or skip-loading equipment positioned within the site boundary. Reversing will be minimised and will be under banksman supervision and engines switched off during loading/unloading.

The Method Statement clarifies that the dwelling will be demolished from the top down using mechanical means. Demolition will be carried out in a piecemeal manner. All debris will be continuously cleared to prevent material build-up and maintain visibility of the operator. Dust suppression will be in operation using a fine-mist hose or spray at all times. The statement also details the health, safety and welfare commitment of the demolition contractor.

In addition to the above, the Method Statement confirms that as part of the site set up, site security and perimeter hoarding/fencing will be established and maintained. To ensure the adjoining properties are protected, a condition will be included to ensure that the whole of the site will be fully secured with heras fencing affixed with debris netting.

The Council's Highways Officer has raised no objection to the application subject to a condition for a condition survey to be undertaken to ensure any damage caused to the highway and footway surface are remedied upon completion of works.

In addition to the above, the submitted Site Restoration Plan (Post-Demolition) shows the concrete drive and the grassed areas to be retained and the area where the house is to be demolished will be stoned over until planning permission for a new dwelling has been granted.

In addition to the above, a Preliminary Roost Assessment has been submitted. The Council's Ecologist has reviewed this document and advised that:

### Bats

A preliminary bat roost assessment was undertaken on 25<sup>th</sup> September 2025 and comprised an internal and external inspection of the property. No bats or signs of bats were observed during the survey. The roof of the property was found to be in good condition, and the tiles were interlocked tightly. Solar panels were present on one side of the roof, so it was not possible to see the tiles under the panels. However, given that the rest of the roof was in good condition the Ecologist was fairly

confident that the tiles under the panels will also be in the same condition. Other than the gap in the PVC fascia and barge board, which can be ruled out no other potential roosting features on the property were outlined in the report.

The report recommends that an endoscope survey be undertaken on the day of demolition, this type of survey should have been undertaken as part of the PRA and given that no PRF's have been identified on the property the Council's Ecologist does not think this approach is necessary. However, bats are mobile in their habits and can be found in the most unlikely places and it is recommended that all contractors are made aware of their legal responsibilities in relation to bats and the roof of the property and the shed roof be stripped by hand with care with the presence of bats borne in mind. If bats are found or suspected at any time during the works then work should cease immediately and advice sought from a suitably qualified bat worker (secure by way of condition).

### Nesting Birds

No evidence of nesting birds was identified in either B1 or B2, but B2 may provide suitable nesting opportunity for birds. Work that will impact on habitats where nesting birds may be present (for example demolition works), should not be undertaken in the main bird nesting season (March – August) unless suitable checks for active bird nests have been undertaken (an informative will be added to the decision).

### Biodiversity Net Gain (BNG)

In regard to BNG, as the application only involves demolition and removal of the existing dwelling, and no other habitats will be impacted then the application is exempt from BNG.

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

## **OTHER CONSIDERATIONS**

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the Convention of the same Act which sets out their rights in respect for private and family life and for the home. Officers consider that the proposed development would not be contrary to the provisions of the above Articles in respect of the human rights of surrounding residents/occupiers.

The application has been considered in accordance with the Rochdale Equity, Diversity and Inclusion policy – 'Embracing All Voices (2024-2026)', which seeks to promote a culture of equity, diversity and inclusion that benefits the community as a whole.

Officers are aware that there are residential properties adjoining the site and within close proximity to the site. The submitted Method Statement provides details on how the impact on these neighbouring properties will be mitigated.

## **RECOMMENDATION**

### **PRIOR APPROVAL GRANTED**

1. The demolition hereby approved shall be carried out in full accordance with the Method Statement – Risk and COSHH Assessment by H Bell & Sons ® Ltd Building Contractors, Issue Date: 23/10/2023, Job No: 4796. 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. Notwithstanding any other times documented within the submission. 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.

3. Prior to any demolition works, a photographic survey showing the pre-development photographic condition of the immediate highway and footway 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.

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.

4. Prior to any demolition works commencing, the whole of the site will be fully secured with heras fencing affixed with debris netting.

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

5. The roof of the property to be demolished and the shed roof shall be stripped by hand with care with the presence of bats borne in mind. If bats are found or suspected at any time during the works then work should cease immediately and advice sought from a suitably qualified bat worker.

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.

#### **Notes for Applicant:**

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

Drawing No: 3000 Rev P01 – Site Location Plan  
Drawing No: 3002 Rev P01 – Site Restoration Plan (Post-Demolition)  
Covering Letter with Demolition Site Notice  
2 x photos of site notice

Preliminary Roost Assessment by Arbtech Consulting Ltd, Survey Date: 25<sup>th</sup> September 2025, Issue: 1 dated 30/09/2025  
Method Statement – Risk and COSHH Assessment by H Bell & Sons ® Ltd Building Contractors, Issue Date: 23/10/2023, Job No: 4796  
Structural Site Condition Report by Alvin Loh Consulting Engineers, Date: 12<sup>th</sup> November 2024, Ref: 224FA-095  
Received 23<sup>rd</sup> October 2025

2. 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.