

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
23/01059/DEM	Claire Ringwood	23 rd October 2023

Address: Pit Stop, High Street, Rochdale, OL12 0NS

Proposal: Application for prior approval to demolish three storey building

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/A
	Pre-commencement conditions agreed (or notification period expired)?	N/A

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

CHECKED AND SIGNED OFF BY: RG

DATE: 25 October 2023

SITE

The application site comprises a three storey brick and render building with a flat roof set back from High Street. There is parking to the front of the site facing High Street and gated access to the site from School Street at the rear. The surrounding area is predominantly commercial/industrial in nature with residential flats to the rear.

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 building on site. Relevant matters are the method of demolition and the proposed restoration of the site.

PLANS AND DOCUMENTS SUBMITTED

Location Plan

Method Statement for Demolition by J Freeley Ltd, Rev: 0 (11/10/2023)

Demolition Survey Report – Health and Safety / Asbestos Section, by Rochdale Boroughwide Housing, report ref: PITSTOP/., date: 15th August 2023

Preliminary Ecological Appraisal and Preliminary Roost Assessment by arbtech, date: 31/08/2023

Site Notice of Application for Prior Approval for Demolition of a Building – two photographs of displayed site notice

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

86/D18765 - Workshop Extension To Existing Building And Formation Of New Access. Approved 06/03/1986.

87/D21300 - Change Of Use From Manufacturing To Manufacturing Use With Retail Sales On Basement Floor. Approved 03/03/1988.

90/D25816 - Change Of Use To Tyre Fitting Bay And Formation Of Car Park. Refused 08/11/1990.

91/D26945 - Change Of Use Of Premises To Tyre Fitting Bay Including New Access Door. Approved 08/08/1991.

03/D41599 - Installation Of Cladding To Front Elevation Of Building. Approved 09/06/2003.

CONSULTATION RESPONSES

Environment Agency

No comments at the time of writing.

Environmental Health - Air

We would require a dust risk assessment to be undertaken prior to works.

Updated comments

No comments at the time of writing.

Environmental Health – Noise

No objection in principle, we would recommend a condition requiring a demolition method statement to be submitted prior to any commencement of works.

Updated comments

The Method Statement for Demolition is acceptable.

Highways

The building for demolition is remote from the adopted highway network to the rear of a car park so it would be expected that the site can accommodate the expected internal movements of the demolition plant and vehicles.

Highways would ask that the applicant submits a Demolition Method Statement for approval via a planning condition.

The applicant's attention is also drawn to the fact that it is an offence under the Highways Act to allow materials to be deposited on the highway from uncleaned or badly loaded vehicles. The applicant should therefore ensure that adequate measures are in place to prevent mud etc being deposited on the surrounding highway network.

Subject to the submission and approval of a Construction Method Statement Highways would raise no objection to this application.

Updated comments

The submitted Demolition Method Statement is acceptable.

Greater Manchester Ecology Unit

The Preliminary Ecological Report submitted with this application is a draft copy. We cannot comment on drafts, we would need to see the final report.

Updated comments

I have read the bat report for Pit Stop High Lane

No evidence of bats or nesting birds was recorded. The location and nature of the building both very low risk and the building lacking any significant bat roosting features. I therefore have no reason to doubt the findings of the report.

As this is a prior notification no further information or measures are required.

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.

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 the proposal does not fall within 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

The building appears to be in relatively good condition, where 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) 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).

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 a detailed Method Statement for Demolition and a Demolition Survey which 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 (if required), machine and manual demolition of the building, removal of materials and recycling/waste. The Method Statement for Demolition clearly sets out how these works will be undertaken and also identifies site access and welfare facilities for the contractors.

The Method Statement for Demolition also sets out the anticipated noise levels of the proposed works and the proposed hours of work and deliveries, which would be Monday-Fridays 0800 to 1800 with no work or deliveries on Saturdays, Sundays and Bank holidays.

The Method Statement for Demolition also sets out health and safety requirements during the works and advises how the surrounding area will be protected from pollution from the development, including protection from dust.

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.

On completion the Method Statement for Demolition clarifies that a photographic dilapidation survey of the site, including footways and carriageways leading to and abutting the site is to be carried out on completion of the works.

In addition to the above, the submitted application form states that *'prior to the new build, the site will be top soiled and seeded and secured by retaining the existing metal palisade fencing and the installation of timber post and knee rail fencing and will be maintained by Rochdale Boroughwide Housing ground maintenance team.'* The application form also states that the site is part of a larger masterplan for redevelopment by Rochdale Boroughwide Housing and with this in mind, the proposed restoration is acceptable in regards to restoring the site.

In addition to the above a Preliminary Ecological Appraisal and Preliminary Roost Assessment has been submitted which shows negligible potential of bats within the building, and no evidence of bats during the survey. An informative is attached to the decision notice regarding advice should bats, or evidence of bats, be found during works. Based on the submitted information, it is considered that the information submitted with the application demonstrates that bats at, and around the site, would be adequately protected from demolition works.

It is noted bats are mobile in their habitats and can turn up in the most unlikely places. If bats are found or suspected at any time during the works, work should cease immediately and advice sought from a suitably qualified bat working. It is noted that demolition contractors should be advised of their legal responsibilities in relation to bats and this can be provided through an advisory note on any decision.

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 GRANTED

1. The demolition hereby approved shall be carried out in full accordance with the Method Statement for Demolition by J Freeley Ltd, Rev: 0 (11/10/2023). The site shall thereafter be restored and maintained in accordance with the written statement received by the Council 11th October 2023.

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 08:00-18:00 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.

Notes for Applicant:

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

Location Plan

Method Statement for Demolition by J Freeley Ltd, Rev: 0 (11/10/2023)

Demolition Survey Report – Health and Safety / Asbestos Section, by Rochdale Boroughwide Housing, report ref: PITSTOP/., date: 15th August 2023

Preliminary Ecological Appraisal and Preliminary Roost Assessment by arbtech, date: 31/08/2023

2. Bats are a European Protected Species which are mobile in their habitats and can turn up in the most unlikely places. If bats are found or suspected at any time during the works, work should cease immediately and advice sought from a suitably qualified bat worker.
3. The applicant is advised that it is an offence under the Highways Act to allow materials to be deposited on the highway from uncleaned or badly loaded vehicles. The applicant should therefore ensure that adequate measures are in place to prevent mud etc being deposited on the surrounding highway network.