

Officer Report

Case Reference: 25/00849/DEM
Location: Regent Mill St James Street Heywood OL10 1JJ
Proposal: Prior notification of the proposed demolition of existing mill building
Recommendation: Approve with Conditions
Officer: Luke Rigby

SITE

The application site relates to Regent Mill; a warehouse located to the west of St James Street. The existing building comprises brick at the lower elevation and cladding at the upper elevation with a partial flat roof and partial saw tooth roof.

The application site is located within the Defined Urban Area as defined by Saved UDP Policy G/D/1.

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

RELEVANT PLANNING POLICY

National Guidance

National Planning Practice Guidance (NPPG)

Legislation

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) – Class B to Part 11 of Schedule 2.

RELEVANT SITE HISTORY

None relevant.

SUMMARY OF CONSULTATION RESPONSES

Greater Manchester Ecology Unit (GMEU)

The Dusk Emergence Survey report shows that one day roost was found in the building that will be demolished. Given the species and number of bats identified, the indicative proposed mitigation appears appropriate and feasible to deliver and if it is followed, GMEU can be confident that the favourable conservation status of this species will be maintained.

I have one query with regards to the report; please could confirmation be provided about whether NVAs were used for the survey? They are mentioned in Section 3.13, however they are not noted on the maps, and no images have been provided from the NVAs.

Notwithstanding my query above, the mitigation scheme outlined within the Emergence Survey Report (Section 6.0 of the report) should be updated once final plans are produced, and this should be adhered to in full. This includes the requirement for a European Protected Species Mitigation Licence (EPSML) to be obtained from Natural England for works to proceed. As per the report, the application would be eligible for the streamlined “Earned Recognition” bat mitigation licence.

We would also recommend a condition along the following lines is applied to any permission.

The demolition is likely to cause harm to the common pipistrelle bats as identified in the Dusk Emergence Survey Report (Tyrer Ecological Consultants, July 2026), and shall not in any circumstances commence unless the local planning authority has been provided with either:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead; or

b) a statement in writing from the relevant licensing body or LPA to the effect that it does not consider that the specified development will require a license.

The following should also be secured via a condition:

- Any new external lighting should also be designed in line with best practice guidelines (e.g. <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>) to ensure that impacts on foraging, commuting, and potentially roosting bats will be avoided.*
- At least two bat boxes should be placed on site, prior to any demolition works commencing.*

Officer Note: Further information was sought from the applicant in relation to the use of NVAs during the Dusk Survey. The applicant confirmed that NVAs were used and

the survey updated as required. GMEU were consulted on this and have no further comments to make.

Highways Department

Recent demolitions of properties in this area have caused damage to highways surfaces causing significant risk to pedestrians and great expense to the highways department. Prior to the demolition of this property a condition survey of the footways adjacent to this premises must be undertaken with any damage apparent upon completion remedied.

We have no objection to these proposals subject to a condition requiring a dilapidation survey of the footways is undertaken before demolition takes place, with any repairs necessary undertaken upon completion.

SUMMARY OF THIRD-PARTY RESPONSES

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. No representations 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 paragraph B.1.

Development is not permitted by Class B if:

(a) 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 building has not been rendered unsafe or otherwise uninhabitable by the action or inaction of any person having interest in the land.

(b) the demolition is “relevant demolition” for the purposes of section 196D of the Act (demolition of an unlisted etc building in a conservation area)

The demolition is not relevant demolition; the application site is not located within a Conservation Area).

(c) the building is used, or was last used, for a purpose falling within—

(i) article 3(6)(p) (drinking establishments etc.) of the Use Classes Order; or

(ii) article 3(6)(q) (drinking establishments with expanded food provision) of that Order;

(d) the building is used, or was last used, for the purpose of—

(i) a concert hall;

(ii) a venue for live music performance; or

(iii) a theatre

The last known use of the building was as a tile merchant. Criterion (c) and (d) are therefore not applicable.

(e) the demolition relates to a statue, memorial or monument (“a commemorative structure”) in place for a period of at least 10 years on the date of any proposed demolition, other than a commemorative structure—

(i) that is a listed building;

(ii) that is a scheduled monument;

(iii) within a cemetery, on consecrated land, or within the curtilage of a place of public worship;

(iv) within the grounds of a museum or art gallery; or

(v) within the curtilage of a dwellinghouse

The demolition does not relate to any of the above.

Class B.2 of the Order states that development is permitted by Class B subject to the developer applying for determination as to whether the prior approval of the Local Planning Authority is required regarding the method of demolition and restoration of the site.

B.2(b)(iv) requires the applicant to display a site notice for a period of 21 days. Such site notice was posted and proof of such submitted to the Local Planning Authority.

The application submission includes a method statement prepared by Winterburns of Rochdale which details the order and method of works. The site will be secured using Heras fencing with debris netting and site signage erected, and work to demolish the existing building will use mechanical lifting equipment for most of the works.

The method statement also outlines that noisy work will be limited to the periods of 08:00 – 18:00 Monday to Friday, and 08:00 – 13:00 on Saturdays; no work will occur on Sundays or Bank Holidays.

Following the demolition of the existing structure, the site will be left vacant pending redevelopment as part of a wider programme of works to Heywood Town Centre via the formation of a masterplan.

In addition to the method statement, the application submission includes an 'Inspection and Assessment in relation to Bats & Breeding Birds' which concluded that the site had moderate roost potential for bats. Evidence of bird droppings was found within the site; however it was noted that no nesting material was found within the building itself and the wider application site is void of vegetation which birds would predominantly use for nesting. No further information was therefore recommended for birds.

GMEU reviewed the assessment and requested that a Dusk Survey be conducted at the site. The Dusk Survey found evidence of one bat roosting within the roof of the structure via a loose roof tile. The Dusk Survey proposes the following mitigation:

- No lighting is directed at key foraging or commuting areas during demolition;
- If future proposals require lighting within the application site, a bat sensitive lighting plan shall be commissioned by a suitably qualified lighting professional;
- A pole-mounted receptor box shall be installed at the site during demolition to ensure no bats are left without a roost whilst works take place

In addition, the survey notes that the applicant will have to apply for a European Protected Species Mitigation License from Natural England prior to the commencement of any works. Such license, or confirmation for Natural England that a license will not be required, should be submitted to the Local Planning Authority prior to the commencement of any works.

GMEU reviewed the results of the Dusk Survey and are content that the favourable conservation of the bats concerned can be maintained.

GMEU notes that the Local Planning Authority should secure lighting conditions and also 2 No. bat boxes by condition. The scope of the prior approval process is limited to the method of demolition and the restoration of the site and therefore the Local Planning Authority is unable to secure the provision of bat boxes or lighting through the prior approval process. Such conditions may, at Natural England's option, be requested by them as a requirement following the issue of a EPSML if they deem necessary.

Similarly, the Local Highways Authority note that recent demolitions in the area have caused damage to the public highway and footpath and recommend a dilapidation survey prior to commencement of works; they note that any damage caused to the public highway should be rectified post-development. The public footpath and highway lie outside of the application site and therefore the Local Planning Authority is unable to implement such conditions under the Prior Approval process.

The Local Highways Authority has powers pursuant to Section 59 of the Highways Act 1980 to recover costs associated with damaged caused by development. Such

mechanisms operate outside, and independently of, the prior approval process. An informative to this regard is recommended.

Further to the above, the demolition and restoration of the site is acceptable and therefore it is recommended that prior approval is required and granted.

Recommendation: Approve with Conditions

Condition(s) (1)

- 1 The demolition hereby permitted shall be carried out in full accordance with the Method Statement by Winterburns of Rochdale (Issue No. 1; 27th November 2025). The site thereafter shall 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.

- 1 For the avoidance of doubt, this decision relates to the following plans and documents:
 - Application Form
 - DWG No. A1/2005417/01 (Location Plan)
 - Method Statement Issue No. 1 (Winterburns of Rochdale; 27th November 2025)
 - Inspection & Assessment in relation to Bats & Breeding Birds (Tyrer Ecological Consultants; February 2026; Issue 1)
 - Dusk Survey Results (Tyrer Ecological Consultants; August 2026; Issue 1.1)
- 2 Bats have been identified on site and are protected under the Wildlife and Countryside Act 1981. No demolition hereby permitted shall take place until either
 - (a) a European Protected Species Mitigation License issued by Natural England pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations 2017 authorising the demolition; or
 - (b) a statement in writing from Natural England confirming that it does not consider the demolition will require such a license,

has been obtained

Demolition should be carried out in strict accordance with the approved license and its mitigation (or the terms as set out in Natural England's statement under (b)).

Planning consent does not provide a defence against any offences.

- 3 The applicant is advised that the Local Highways Authority has requested a dilapidation survey of the adjoining public highway prior to the commencement of demolition. Any damage to the public highway – including that which may be caused by demolition, or demolition traffic – may be recoverable by the Local Highway Authority pursuant to Section 59 of the Highways Act 1980, and any works to, or affecting the public highway may require separate agreement under Section 278 of that 1980 Act. The applicant is encouraged to contact the Local Highway Authority prior to demolition to agree the scope of any survey and reinstatement.