

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 22/01489/FUL

|                                                                          |                  |
|--------------------------------------------------------------------------|------------------|
| Name and address for correspondence:                                     | Applicant name:  |
| Mr Umar Hussain<br>32 Macaulay Road<br>Birkby<br>Huddersfield<br>HD2 2US | Mr Sajid Hussain |

### Part 1 - Particulars of Application

Date of                      11 December 2023  
Application:

|                  |                                                                            |
|------------------|----------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Erection of new building to form sheep shelter (part retrospective)</b> |
| <b>Location:</b> | <b>Halfway House Hotel , Wardle Road, Wardle, Rochdale, OL12 9ER</b>       |

### Part 2 Compliance with Conditions

It is YOUR responsibility to comply with planning conditions. The Council's Planning Enforcement Team is responsible for investigating alleged breaches of planning control. This includes ensuring that all relevant conditions have been complied with. Effective enforcement is important to:

- Tackle breaches of planning control which would otherwise have unacceptable impact on the amenity of the area
- maintain the integrity of the decision-making process;
- help ensure that public acceptance of the decision-making process is maintained.

Whilst the majority of developers/homeowners do comply with the requirements of planning permissions, there are a number who do not. Where any planning conditions are breached, the Council can take formal enforcement action without further notice. Enforcement action could include such measures as requiring remedial works, cessation of use, or complete demolition and can cause the developer/homeowner unnecessary expense, delay and frustration. In some cases, failure to comply with planning conditions can lead to the loss of the planning permission.

### Part 3 - Particulars of decision

The Rochdale Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended) that planning permission has been **GRANTED SUBJECT TO CONDITIONS** for the carrying out of the development referred to in Part I above.

The Council hereby permits the above development in accordance with the details given on the application form and subject to the following condition(s):

## **Conditions and Reasons:**

### **1. Time Limit**

The development must be begun not later than three years beginning with the date of this permission

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

### **2. Plans**

The development shall be carried out in accordance with the following drawings and documents hereby approved: • Location Plan. Drawing number: 01. Revision: E. Received by email on 16/07/2025 • Existing Block Plan. Drawing number: 02. Revision: D. Received by email on 16/07/2025 • Proposed Block Plan. Drawing number: 03. Revision: D. Received by email on 04/07/2025 • Proposed Plan & Elevations. Drawing number: 04. Revision: C. Received by email on 04/07/2025

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the adopted Rochdale Core Strategy, the saved Rochdale Unitary Development Plan, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

### **3. Materials**

Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground construction works shall take place until samples and/or full specification of materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: In order to ensure a satisfactory appearance in the interests of visual amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, Places for Everyone Joint Development Plan and the requirements of the National Planning Policy Framework.

### **4. Site Investigation**

Prior to commencement of the development an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced and shall have been first submitted to and approved in writing by the Local Planning Authority before development commences. The report of the findings must include:

- I. a survey of the extent, scale and nature of contamination
- II. an assessment of the potential risks to:
  - human health
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes
  - adjoining land
  - groundwaters and surface waters
  - ecological systems
  - archeological sites and ancient monuments
- III. where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred option(s)

The development shall thereafter be completed in full accordance with the approved recommendations.

Reason: To ensure the safe development of the site in the interests of the amenity of future occupiers in accordance with Policy G9 of the adopted Rochdale Core Strategy, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

## **5. Boundary Treatment**

Notwithstanding any details submitted as part of the application, and the requirements of condition 2, no part of the development shall be occupied until details including elevations of the type, siting, design and materials to be used in the construction of boundaries, screens, fencing or retaining walls have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: In the interests of visual amenity, to limit noise, nuisance and disturbance to the occupiers of neighbouring properties and for the safety of pedestrians and highway users, and in compliance with policies P3, G9, T2 and DM1 of the adopted Rochdale Core Strategy, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

## **6. Biodiversity Enhancement**

The development hereby approved shall not be occupied until such time as a scheme of biodiversity enhancements for the site has been submitted to and approved in writing by the Local Planning Authority. The duly approved scheme shall be implemented in full prior to first occupation of the dwellings and retained thereafter.

Reason: In the interests of enhancing biodiversity and habitat provision within the site in accordance with Policy G7 of the adopted Rochdale Core Strategy, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

## **7. External Lighting**

Notwithstanding details on the approved plans, no external lighting shall be installed on the building or elsewhere on the site unless a scheme for such lighting, including type, design, siting, site plan, luminance levels and product specification, are submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be fully implemented and operational.

Reason: In the interests of amenity and in compliance with policies DM1 and G9 of the adopted Rochdale Core Strategy, Places for Everyone Joint Development Plan and the National Planning Policy Framework.

## **8. Permitted Development Rights**

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any equivalent Order following the amendment, revocation and reenactment thereof, the premises shall only be used for agricultural purposes (as defined by section 336(1) of the Town and Country Planning Act 1990) and for no other purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to avoid inappropriate development within the Green Belt in accordance with Policy JP-G9 of Places for Everyone Joint Development Plan and the National Planning Policy Framework.

## **9. Removal of existing sheep shed**

The existing sheep shed is to be demolished as identified on 'Existing Block Plan' (drawing number: 02, revision: D) and 'Proposed Block Plan' (drawing number: 03, revision: D).

The existing sheep shed shall be completely demolished and the site cleared and made good either prior to any works taking place in connection with the sheep shelter hereby approved as shown on drawing number 03 revision D; or prior to 31<sup>st</sup> March 2026, whichever is the sooner.

All demolition materials, debris, and waste shall be cleared from the site and the site made good again to the satisfaction of the Local Planning Authority. Following removal of the existing sheep shed and making good of the site, a condition survey shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The existing sheep shed is an unauthorised structure such that demolition is required prior to it becoming lawful and to ensure the satisfactory appearance of the site in the interests of amenity in accordance with Policies P2, P3 and DM1 of the adopted Rochdale Core Strategy, to avoid inappropriate development within the Green Belt in accordance with Policy JP-G9 of Places for Everyone Joint Development Plan, and in accordance with the National Planning Policy Framework.

### **Procedure Statement:**

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively to issue the decision without delay

Date Decision Issued            5 September 2025

Melanie Hale  
Head of Planning Services

### **IMPORTANT**

PLEASE ENSURE THAT YOU HAVE READ AND FULLY UNDERSTOOD THE CONTENTS OF THIS DECISION NOTICE. YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES.

#### **INFORMATIVE:**

The Local Planning Authority's reasons for its decision are set out in the accompanying officer's report.

#### **INFORMATIVE:**

The applicant is reminded of the need to submit and obtain formal approval of those details required by the conditions of this planning permission before development may lawfully commence on the site. The formal discharge of a planning condition is currently subject to payment of an additional fee per request: [Fees for Planning Applications in England](#)

#### **INFORMATIVE:**

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at:

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at:

[www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property](http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property)

What is a permit and how to get one? - GOV.UK ([www.gov.uk](http://www.gov.uk)) In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here -

<https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK

#### INFORMATIVE:

The applicant is advised that the supply and delivery of refuse containers (including all wheelie bins and food waste caddies) for residential developments is chargeable and the responsibility for these charges rests with the applicant/developer. The cost is based on a variable rate per property depending on the property size and number of bedrooms. Please contact [environmental.management@rochdale.gov.uk](mailto:environmental.management@rochdale.gov.uk) for a quotation for your development.

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action.

#### Shallow coal seams:

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer (<https://mapapps2.bgs.ac.uk/coalauthority/home.html>) allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

