

Town and Country Planning Act 1990 (as amended)

## PLANNING PERMISSION GRANTED

APPLICATION REFERENCE: 25/00077/FUL

|                                                                                     |                                        |
|-------------------------------------------------------------------------------------|----------------------------------------|
| Name and address for correspondence:                                                | Applicant name:                        |
| Mr Michael Healy<br>Michael Healy Limited<br>39 Beatty Road<br>Southport<br>PR8 6LB | Mr Daniel Caulfield<br>JW Lees Limited |

### **Part 1 - Particulars of Application**

Date of                      28 January 2025  
Application:

|                  |                                                                                                                                                                                                                                            |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Proposal:</b> | <b>Erection of pitched roof over existing flat roof to front elevation, replacement front entrance canopy, alterations to car park and extension to existing beer garden including landscaping, feature archways and associated works,</b> |
| <b>Location:</b> | <b>The Lancashire Fold Public House, 77 Kirkway, Middleton, Rochdale, M24 1EP</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 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 This permission relates to the following plans:
  - Location Plan And Site Block Plan. Dwg no. 1324 - 01
  - Existing Site Plan. Dwg no. 1324 - 02
  - Existing Elevations. Dwg no. 1324 - 03
  - Proposed Site Plan. Dwg no. 1324 - 04 A
  - Proposed Elevations. Dwg no. 1324 - 05
  - Existing And Proposed Roof Plan Layouts. Dwg no. 1324 - 06

and the development shall be carried out in accordance with these drawings hereby approved.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the saved Rochdale Unitary Development Plan, the adopted Rochdale Core Strategy and 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          25 March 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 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:

Building on or within the influencing distance of mine entries - GOV.UK

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