

**REPORT FOR DECISION**

Agenda Item	
----------------	--

**MEETING:** PLANNING CONTROL COMMITTEE  
**DATE:** 25 July 2006  
**SUBJECT:** PLANNING ENFORCEMENT  
**REPORT FROM:** BOROUGH PLANNING, ENGINEERING &  
TRANSPORTATION SERVICES OFFICER  
**CONTACT OFFICER:** TOM MITCHELL, DEVELOPMENT MANAGER

**TYPE OF DECISION:** Council  
**REPORT STATUS:** For Publication

**PURPOSE/SUMMARY:**  
The report summarises the Planning Enforcement Activity for the Period 1<sup>st</sup> April 2006 to 30<sup>th</sup> June 2006

**OPTIONS AND RECOMMENDED OPTION (with reasons):**  
The Committee is recommended to note the decisions described below.

**IMPLICATIONS –**

**Financial Implications and Risk Considerations** N/A

**Corporate Aims/Policy Framework:**  
Do the proposals accord with the Policy Framework? Yes  No

Are there any legal implications? Yes  No  (see paragraph .....)  
**Considered by Monitoring Officer:** Yes  Comments

**Statement by Director of Finance and E-Government:** N/A

**Staffing/ICT/Property:** N/A  
All

**Wards Affected:**

**N/A**

**Scrutiny Interest:**

---

**TRACKING/PROCESS**

**ACTING EXECUTIVE DIRECTOR: Graham Altkinson**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council

**INTRODUCTION**

This report presents Members with a description of the various Planning Enforcement Notices served and Actions taken during the Period from 1<sup>st</sup> April 2006 to 30<sup>th</sup> June 2006.

**COMPLAINT CASES RECEIVED**

During the Period from 1<sup>st</sup> April 2006 to 30<sup>th</sup> June 2006 161 complaints were received and a total of 16 Notices of various types have been served and added to the List below. Notices which had been complied with in the previous Report have been removed from the List.

**CONCLUSIONS**

The number of planning Enforcement complaints is continuing to steadily rise and the level of formal action is also increasing.

---

**List of Background Papers:-**

None

**Contact Details:-**

Tom Mitchell  
Development Manager  
Environment and Development Services  
Craig House  
5 Bank Street  
Bury BL9 0DN

**Tel: 0161 253 5321**

**Email: [t.michell@bury.gov.uk](mailto:t.michell@bury.gov.uk)**

**UPDATE OF LIST OF NOTICES SERVED AND ACTIONS TAKEN**

<b>CASE REF</b>	<b>ADDRESS / LOCATION</b>	<b>BREACH OF PLANNING CONTROL</b>	<b>TYPE OF NOTICE SERVED</b>	<b>APPEAL MADE AND RESULT</b>	<b>COMPLIANCE / ACTION TAKEN</b>
04/0029	51 to 53 Bolton Street, Ramsbottom	Installation of new shop front within a Conservation Area	Enforcement Notice served 13/10/04	No Appeal	Instructions with Legal for second prosecution
04/0261	9 Spencer Avenue, Whitefield	Siting of storage container in rear garden	Enforcement Notice served 18/1/05	No Appeal	Container now removed. Case closed
05/0014	223 Bell Lane, Bury	Formation and construction of access to a classified road	Enforcement Notice served 11/5/05	No Appeal	Site checked 15/5/06 wall rebuilt unauthorised access now resolved. Notice complied with. Case closed
05/0273	10 Bell Lane, Bury	Unauthorised use of premises as a Health Club	Enforcement Notice served 13/12/05	No Appeal	Entry gained to the premises which were still being used as a 'health club' in breach of the Notice. Proceeding towards prosecution
05/0122	Land adjacent to 103 Walmersley Road, Bury	Erection of car port, fencing, adverts and portacabin	Enforcement Notice served 13/12/05	No Appeal	Site checked 8/5/06 Notice now complied with. Case closed

05/0169	Land adjacent to Openshaw Fold Road, Bury	Tipping materials, storage of steel containers	Enforcement Notice served 5/7/05	Appeal made	Appeal dismissed and Notice upheld and varied slightly. Site checked 11/5/06 Notice complied with. Case closed
05/0372	Land at Philips Park Road West, Whitefield	Tipping tarmac scrapings on access track	Enforcement Notice served 9/1/06	Appeal pending	Planning permission granted monitor for compliance
05/0372	Land at Philips Park Road West, Whitefield	Tipping of clays, waste materials and engineering operation	Enforcement Notice served 9/1/06	Appeal pending	Planning permission granted monitor for compliance
05/0216	Land at Dofferfold Farm, St. Andrews Road, Radcliffe	Storage and residential use of static caravans	Enforcement Notice served 24/1/06	No Appeal	Notice part complied with continuing to monitor for compliance
05/0126	Land at Watling Street, Affetside, Bury	Storage and residential use of caravans and mobile homes	Enforcement Notice served 13/2/06	Appeal made- Public Inquiry held on 20/6/06	Appeal dismissed Enforcement Notice slightly varied. To check if Notice complied with after compliance period expires on 25/9/06
05/0218	Land at Eaves Cottage, Hawkshaw Lane, Bury	Erection of wall and fencing	Enforcement Notice served 14/3/06	No Appeal to date	To check if Notice complied with after compliance period expires on 13/6/06

05/0218	Land at Eaves Cottage, Hawkshaw Lane, Bury	Change of use from open moorland to domestic curtilage	Enforcement Notice served 14/3/06	No Appeal to date	To check if Notice complied with after compliance period expires on 13/7/06
05/0218	Land at Eaves Cottage, Hawkshaw Lane, Bury	Building garage without planning permission	Enforcement Notice served 14/3/06	No Appeal to date	To check if Notice complied with after compliance period expires on 13/7/06
05/0397	Land at 8 Chapeltown Road, Radcliffe	Retention of dormer to garage following refusal of planning permission	Enforcement Notice served 20/3/06	No Appeal to date	To check if Notice complied with after compliance period expires on 18/7/06
05/0418	11 to 13 Victoria Buildings, Silver Street, Bury	Installation of new shop front without planning permission	Enforcement Notice served 20/3/06	Appeal submitted	Awaiting result of Appeal
05/0412	Marcus Menswear, 821 to 823 Manchester Road, Bury	Untidy land and building	Section 215 Notice served 27/3/06	No Appeal to date	Site checked 3/5/06 land and building tidied up Notice complied with. Case closed
06/0139	16 Quakers Field, Holcombe Brook, Bury	Unauthorised building works without the benefit of planning permission	Temporary Stop Notice served 7/4/06	Not Applicable	Notice lifted on 18/4/06 following submission of suitable stone samples and planning application submitted. Case closed
06/0079	Land and property at Island Works, Railway Street, Summerseat, Ramsbottom	Commencement of development in breach of conditions attached to planning permission no. 44192	Temporary Stop Notice served 11/4/06	Not Applicable	Notice complied with, details and schemes required by the conditions now submitted. Case closed

06/0193	Land at site of former Gin Hall Reservoir, Walmersley Road, Bury	Unauthorised importation and deposit of soil making materials and bio solid waste on the land	Temporary Stop Notice served 11/4/06	Not Applicable	Notice complied with, tipping ceased. Case closed
06/0194	Land to the West of the former Gin Hall Reservoir, Walmersley Road, Bury	Importation and deposit of waste materials on the land	Temporary Stop Notice served 11/4/06	Not Applicable	Notice complied with, tipping ceased. Case closed
04/0086	Land at Keystone Cottage, Taylors Lane, Ainsworth, Bury	Without the benefit of planning permission erection of a timber riding area cover	Enforcement Notice served 16/5/06	No Appeal made to date	To check if Notice complied with after compliance period expires on 30/8/06
05/0175	Land at Hollybank Street, Radcliffe used by FAM Ltd	Unauthorised change of use of land for storage of broken down and accident damaged vehicles in connection with a vehicle recovery business	Enforcement Notice served 24/5/06	No Appeal made to date	To check if Notice complied with after compliance period expires on 30/9/06
06/0132	Land South West of Hollingrove Barn Redisher Lane, Hawkshaw, Bury	The importation and tipping of brick, rubble and hardcore on the land	Temporary Stop Notice served 16/5/06	Not Applicable	Notice complied with tipping ceased. Case closed
06/0194	Land being the site of the former Gin Hall Reservoir, Walmersley	Importation and deposit of bio solids and similar materials on the land without the benefit of planning permission	Temporary Stop Notice served 1/6/06	Not Applicable	Notice complied with tipping ceased. Case closed

	Road, Bury				
06/0273	Site of former Radcliffe Paper Mill, James Street, Radcliffe	Importation and deposit of sand, clays, soils, rubble and similar waste materials without planning permission.	Temporary Stop Notice served on 6/6/06	Not Applicable	Notice complied with tipping ceased. Case closed
06/0194	Land being the site of the former Gin Hall reservoir, Walmersley Road, Bury	Without planning permission carrying out a change of use by importation and depositing waste materials, slurry, bio solids and failing to comply with planning condition regarding a landfill gas control scheme	Enforcement Notice served 21/6/06	No Appeal to date	To check if Notice complied with after compliance period expires on 17/10/06
06/0194	Land being the site of the former Gin Hall reservoir, Walmersley Road, Bury	Untidy Land	Section 215 Notice served 21/6/06	No Appeal made to date	To check if Notice complied with after compliance period expires on 17/10/06
06/0194	Land being the site of the former Gin Hall reservoir, Walmersley Road, Bury – further area of land	Without planning permission carrying out a change of use by importation and depositing waste materials, slurry, bio solids	Enforcement Notice served 21/6/06	No Appeal to date	To check if Notice complied with after compliance period expires on 17/10/06

06/0273	Site of former Radcliffe Paper Mill, James Street, Radcliffe	Importation and deposit of sand, clays, soils, rubble and similar waste materials without planning permission and use of land as a builders compound	Enforcement Notice served 28/6/06	No Appeal to date	To check if Notice complied with after compliance period expires on 24/9/06
N/A	Irwell Sheet Metals, Kenyon Street, Ramsbottom	Construction and recycling business	Planning Contravention Notice served 26/5/05	Not Applicable	Notice complied with, questions completed and returned. Case closed
06/0194	Land at former Gin Hall Reservoir Walmersley Road, Bury	Tipping materials	Planning Contravention Notice served 7/7/05	Not Applicable	Notice complied with, questions completed and returned. Enforcement Notices served.
05/0126	Yeomans Farm, Watling Street, Bury	Storage of residential caravans	Planning Contravention Notice served 22/11/05	Not Applicable	Notice complied with, questions completed and returned. Enforcement Notice served.
05/0394	Land at Wharf Industrial Park, Wharf Road, Radcliffe	Without planning permission the carrying out of an unauthorised change of use of the land to a Plant Hire Depot	Planning Contravention Notice served 6/4/06	Not Applicable	Notice complied with, questions completed and returned. Case closed



06/0055	Land at Daisyfields, Wellington Street, Bury	The importation of materials without planning permission	Planning Contravention Notice served 25/4/06	Not Applicable	Notice complied with questions answered and returned. Case closed
05/0410	Land and property at 1 Holly Street, Bury	Unauthorised change of use of land for the siting of a van body or steel container in rear yard/garden	Planning Contravention Notice served 30/5/06	Not applicable	Notice complied with questions answered and returned. Enforcement action pending