

## APPENDIX 1

## UPDATE OF LIST OF NOTICES SERVED AND ACTIONS TAKEN

ACOLAID CASE NUMBER	ADDRESS / LOCATION	BREACH OF PLANNING CONTROL	TYPE OF NOTICE SERVED	APPEAL MADE AND RESULT	COMPLIANCE / ACTION TAKEN
04/0086 Radcliffe North Ward	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	Structure roof removed and sides reduced in compliance with Notice. Prosecution case withdrawn no further action required.
05/0277 North Manor Ward	120 Railway Street, Summerseat, Ramsbottom	Erection of second floor rear dormer including alteration of ridge line	Enforcement Notice served 3/7/06	No Appeal made	Notice not complied with. Interviewed owner under caution advised by Legal not to prosecute because of age and infirmity of owner and not in the public interest. Further letter sent to son of owner. Notice remains in place and will have to be complied with continuing to monitor (to remove from list).
04/0260 Radcliffe East Ward	Land situated between Politt Street and Cock Clod Street, Bury	Untidy land	Section 215 Untidy land Notice served on 8/8/06	No Appeal made	Land untidy. Interview owner under caution / send booking letter with a view to prosecuting for non compliance.
06/0095 East Ward	24 Shepherd Street, Bury	Without planning permission the erection of a car port structure	Enforcement Notice served on 23/8/06	No Appeal made	Notice now sufficiently complied with no further action required.
06/0144 Radcliffe West Ward	Woodacre Trekking School, land adjacent to Prestolee Road, Radcliffe	Without the benefit of planning permission the siting of one touring caravan, one static caravan and	Enforcement Notice served on 18/10/06	Appeal heard 6/7/07 Notice upheld but	Enforcement Notice varied to remove the metal containers from the Notice. The Notice is still not being complied with. Send a booking letter to the

		two metal storage containers		varied	owner with a view to prosecuting for non compliance with the Notice.
04/0042 Moorside Ward	Sillinghurst Farm, Castle Hill Road, Bury	Unauthorised works to a Grade II Listed building – installation of uPVC windows and strap pointing	Listed Building Enforcement Notice served 17/1/07	No Appeal made	Notice part complied with. Windows satisfactorily re painted following negotiations with Conservation Officer. Strap pointing unable to be removed without causing further damage to stonework. No further action required.
06/0628 Pilkington Park Ward	North Lodge, Park Lane, Philips Park, Whitefield	Unauthorised works to Grade II Listed Building – installation of uPVC window	Listed Building Enforcement Notice served on 1/3/07	No Appeal made	Prosecution file sent to Legal 11/2/09 for continued non compliance with the Notice. First hearing at Bury Magistrates Court on 29/4/09.
06/0009 Sedgley Ward	110 and 112 Park Road, Prestwich	Formal Complaint regarding High Hedge	High Hedge Remedial Notice served on 31/7/06	No Appeal made	Hedge sufficiently reduced to ensure compliance no further action envisaged.
06/0448 Holyrood Ward	30 Simister Lane, Prestwich	Formal Complaint regarding High Hedges	High Hedge Remedial Notice served on 29/3/07 – two of two served at the property	No Appeal made	Monitoring to ensure full compliance with the Notice which is by 29/6/09.
06/0088 Tottington Ward	Land at 321 Turton Road, Tottington, Bury	Erection of building for use as storeroom and hobby workshop	Enforcement Notice served on 1/5/07	Appeal dismissed 12/2/08	Building Now demolished and Appeal withdrawn. Application for costs to be submitted to the Inspectorate.
06/0409 North Manor Ward	Land off Mather Road, Bury	Untidy land	Section 215 Notice served on 6/6/07	No Appeal made	Notice part complied with further inspection reveals site ownership changed and scrap cars now being stored on the

					land. A further Notice required to incorporate these vehicles.
06/0535 Holyrood Ward	Land and property at 480 to 484a Bury Old Road, Prestwich	Untidy land and property	Section 215 Notice served on 13/6/07	No Appeal made	Notice not complied with. Send booking letter to owner with a view to prosecuting for non compliance with the Notice.
07/0146 Tottington Ward	Land and property at the former Roach Packing Case and Timber Co, Scobell Street, Bury	Untidy land and property	Section 215 Notice served on 28/6/07	No Appeal made	Notice sufficiently complied with. No further action required but will monitor to ensure site remains tidy.
06/0109 Sedgley Ward	Land between 104 and 110 Albert Avenue, Prestwich	Untidy land	Section 215 Notice served on 29/6/07	No Appeal made	The land remains untidy. Send a booking letter to the owner with a view to prosecuting for non compliance with the Notice.
06/0271 Radcliffe East Ward	Land at Bury Road and Park Street, Radcliffe	Breach of Condition 14 of planning permission no. 44465 re artwork	Breach of Condition Notice served on 29/6/07	N/A	Art work submitted but unacceptable. Further negotiations entered into to ensure a better piece of artwork is commissioned.
05/0302 North Manor Ward	Land and property at The Lord Raglan Pub, Mount Pleasant, Nangreaves, Bury	Unauthorised installation of replacement uPVC windows	Listed Building Enforcement Notice served on 29/6/07	No Appeal made	Prosecution file completed. Further enquiries needed to establish ownership as suspected this has changed to avoid prosecution.
05/0295 Pilkington Park Ward	Whitefield House, former Whitefield Town Hall, Pinfold Lane, Whitefield	Untidy land and property	Section 215 Notice served 15/11/06	Appeal withdrawn	Steps of Notice complied with no further action required.

07/0084 Various Wards	At various locations throughout Bury M.B.C.	Erection of unauthorised advertisements by 'Apex Self Storage'	Prosecution	N/A	The Company pleaded Guilty and was fined a total of £8,315. Check the signs now removed.
06/0114 Sedgley Ward	30 Deyne Avenue, Prestwich	Erection of a raised timber decking structure together with railings and steps	Enforcement Notice served on 28/8/07	No Appeal made	Notice still not complied with. To send a booking letter to the owner with a view to prosecuting for non compliance with the Notice.
06/0228 Radcliffe West Ward	Woodacre Trekking School, land adjacent to Prestolee Road, Radcliffe	Siting of 2 metal shipping containers and 1 metal container/van body without planning permission	Enforcement Notice served on 30/8/07	No Appeal made	Notice not complied with. Send a booking letter to the owner with a view to prosecuting for non compliance with the Notice.
06/0109 Sedgley Ward	Land and property at 104 Albert Avenue, Prestwich	Untidy land and property	Section 215 Notice served on 29/8/07	No Appeal made	Further site visit reveals notice not complied with. Send a booking letter to owner with a view to prosecuting for non compliance with the Notice.
06/0622 St. Mary's Ward	Land and property at Shrewsbury House, Lowther Road, Prestwich	Untidy land and property	Section 215 Notice served on 29/8/07	No Appeal made	Notice part complied with. Negotiations with owner who is to fully comply with the Notice to recheck in 2 weeks.
06/0536 Moorside Ward	Land at end of Wolstenholme Avenue, Bury	Untidy land	Section 215 Notice served on 13/9/07; takes effect 15/10/07; compliance date: 12/1/08	No Appeal made	Site visit on 30/7/08 reveals Development now completed. Site still untidy. Negotiations with owner who is to tidy up site, to monitor.
07/0383 Radcliffe North Ward	Land at Lever Street near to Herbert Street, Radcliffe	Untidy land	Section 215 Notice served on 8/11/07 Takes effect 8/12/07; Compliance date: 6/3/08	No Appeal made	Land in ownership of several persons. Most owners complied with Notice. Remaining owners to be recontacted to ensure they comply with the steps of

					the Notice
07/0504 Redvales Ward	Land and property at 6 Albany Drive, Bury	Untidy land and property	Section 215 Notice served on 22/11/07 Takes effect 26/12/07; Compliance date: 23/2/08	No Appeal made	Booking letter sent 7/7/08 for non compliance with the Notice proceeding towards prosecution.
07/0420 Holyrood Ward	Land and property at 33 Glebelands Road, Prestwich	Untidy land and property	Section 215 Notice served on 22/11/07 Takes effect 26/12/07; Compliance date: 23/2/08	No Appeal made	Some work carried out, further work required to ensure full compliance with the Notice.
07/0176 Sedgley Ward	176 Albert Avenue, Prestwich	Erection of timber fence over 2 metres without planning permission	Enforcement Notice served on 11/12/07 Takes effect 16/1/08; Compliance date - 15/3/08	No Appeal made	Notice not complied with. Further contact with owner to ensure compliance with the steps of the Notice.
08/0012 Radcliffe East Ward	76 – 80 Water Street, Radcliffe	Unauthorised Change of Use of property from a shop (A1 Use) to a 'massage parlour' (D1/D2/Sui Generis Use)	Enforcement Notice served on 31/1/08; Takes effect 5/3/08; Compliance date 3/4/08	Appeal lodged on 4/3/08 and dismissed	Appeal against planning refusal also dismissed; prosecution file sent to legal on 15/12/08, for non compliance with the Enforcement Notice. Appeared at Bury Magistrates on 23/2/09 and pleaded Guilty to three charges. Case adjourned until 13/5/09 for sentencing – the Court want to see the accounts in order to assess the level of fine to be imposed.

07/0208 Redvales Ward	Land and property at Orchard Court, off Manchester Road, Bury	Breach of Condition regarding block paving; tarmac laid instead	Breach of Condition Notice served 3/3/08; Takes effect 8/3/08; Compliance date 6/4/08	N/A	The developers have been taken over by another Company and further action is not feasible. Under the circumstances no further action to be taken.
07/0282 Radcliffe North Ward	Land and Property at Fold Mill, Bradley Lane, Bradley Fold, Radcliffe	Creation of bunds to the site boundaries	Enforcement Notice served on 10/3/08; Takes effect 10/4/08; Compliance date 8/7/08	No Appeal made	Planning application to retain refused. Prosecution file sent to Council's Legal Section 8/1/09 for continued non compliance with the Notice. Appeared at Bury Magistrates Court on 23/2/09 and the case was adjourned until 8/4/09 to assess appeal against planning application
07/0282 Radcliffe North Ward	Land and Property at Fold Mill, Bradley Lane, Bradley Fold, Radcliffe	Resiting metal fence and gates and installation of roller shutter door	Enforcement Notice served on 10/3/08; Takes effect 9/4/08; compliance date – 7/6/08	No Appeal made	Planning application to retain refused. Prosecution file to Council's Legal Section 8/1/09 for continued non compliance with the Notice. Appeared at Bury Magistrates Court on 23/2/09 and the case was adjourned until 8/4/09 to assess appeal against planning application
07/0411 Elton Ward	L.A. Pizza, 355 Brandlesholme Road, Bury	Opening outside approved opening hours granted by planning permission	Breach of Condition Notice served on 18/3/08; takes effect 18/3/08; Compliance date 25/3/08	N/A	Notice being complied with no further action required

07/0273 Radcliffe North Ward	Richard Cort Ltd, 701 Manchester Road, Bury	Breach of Condition regarding Surface water drainage of the site	Breach of Condition Notice served on 19/3/08; takes effect 19/3/08; 2 compliance dates – 18/4/08 & 28/4/08	N/A	Further contact with owner required to ensure compliance with the Notice
08/0022 Sedgley Ward	Land and property at 42 Richmond Avenue, Sedgley Prestwich	Dormers not built in accordance with planning permission	Planning Contravention Notice served on 20/3/08; compliance date 10/4/08	N/A	Further action required proceeding towards prosecution for non return
07/0239 Radcliffe East Ward	Rams Head Pub, 40 – 42 Stand Lane, Radcliffe	Untidy land and property	Section 215 Notice served on 2/4/08; takes effect 5/5/08; compliance date 2/8/08	No appeal made	Notice still not complied with continuing towards prosecution
06/0369 Redvales Ward	152 Parkhills Road, Bury	Erection of conservatory without the benefit of planning permission	Enforcement Notice served on 3/4/08; takes effect 5/5/08; compliance date 3/8/08	No appeal made	Owner appeared at Bury Magistrates Court on 23/2/09 and pleaded Guilty to non compliance with the Notice. He was fined a total of £858. The conservatory has now dismantled and removed. No further action required
07/0470 Radcliffe North Ward	Duke William Inn, 1A Well Street, Ainsworth, Bolton	Erection of smoking shelter without the benefit of planning permission	Enforcement Notice served on 10/4/08; takes effect 10/5/08; compliance date 9/7/08	No Appeal made	Shelter placed on wheels to make it a movable structure in an attempt to avoid prosecution. Several visits confirm not moved now proceeding towards prosecution
07/0434 Radcliffe East Ward	PPS Commercials Ltd, Cemetery Works, Cemetery Road, Radcliffe	Breach of condition regarding noise nuisance audible from the site	Breach of Condition Notice served on 14/5/08; takes effect 14/5/08; compliance	N/A	Notice being complied with, No further action required

		boundary	date 13/6/08		
07/0434 Radcliffe East Ward	PPS Commercials Ltd, Cemetery Works, Cemetery Road, Radcliffe	Breach of Condition regarding storage or parking of commercial vehicles, or raw materials	Breach of Condition Notice served on 14/5/08; takes effect 14/5/08; compliance date 13/7/08	N/A	Booking letter sent 12/12/08 for non compliance with the Notice. Still breaching the Notice, proceeding towards prosecution
07/0434 Radcliffe East Ward	PPS Commercials Ltd, Cemetery Works, Cemetery Road, Radcliffe	Breach of Condition regarding entry and egress from the site	Breach of Condition Notice served on 14/5/08; takes effect 14/5/08 compliance date 13/6/08	N/A	Notice being complied with. No further action required
07/0393 Ramsbottom Ward	38 Albert Street, Ramsbottom, Bury	The erection of timber decking or railings without planning permission	Enforcement Notice served on 23/5/08; Takes effect 26/6/08; compliance date 25/8/08	No Appeal made	Railings now removed, timber decking and supports remain. Proceeding towards prosecution
07/0230 East Ward	12 Andrew Street, Bury	Use of property as House in Multiple Occupancy without planning permission	Planning Contravention Notice served on 30/6/08; compliance date 21/7/08	N/A	Notice not complied with to date investigations continuing to trace owner of property for failing to return Notice
06/0418 North Manor Ward	Land rear 198 Railway Street, Summerseat, Bury	Unauthorised storage of 2 metal storage containers	Enforcement Notice served on 28/7/08; compliance period date 30/10/08	No Appeal made	Works in default commenced forcing entry to containers to assess contents. Owner came forward and has offered to remove by 10/6/09. Costs to be recovered from owner and prosecution considered.



08/0355 East Ward	The Conveyancing Centre, Sankey Street, Bury	Unauthorised erection of advertisement facing Jubilee Way	Advertisement consent sought but refused; appeal against decision dismissed; advert then erected	N/A	Advertisement and retaining structure removed, prosecution withdrawn following payment of Council's costs at £454.80p
08/0416 Ramsbottom Ward	Land adjacent 8 Ripon Hall Avenue, Ramsbottom	Tipping crushed stone on the land	Enforcement Notice served 17/9/08, takes effect on 20/10/08, compliance period – to move by 20/1/09	No Appeal made	Negotiations with owner's agent who is to comply with the Notice. To monitor over next 2 weeks.
08/0334 Tottington Ward	2 Bury Road, Tottington, Bury	Unauthorised erection of concrete post and timber fence	Enforcement Notice served 29/9/08, takes effect on 3/11/08, compliance period – to dismantle and remove by 30/11/08	Appeal made 29/10/08	Appeal dismissed 23/2/09. Fence reduced as part compliance. Requires full removal further contact with owner required to ensure all fencing removed.
06/0088 Tottington Ward	321 Turton Road, Tottington, Bury	Unauthorised change of use of land from agricultural to land for residential purposes	Enforcement Notice served 30/9/08, effective 3/11/08, compliance period – cease use by 10/11/08	Appeal made 15/10/08	Appeal withdrawn by applicant application for costs to be submitted to the Inspectorate use ceased.
08/0150 Besses Ward	133 Thatch Leach Lane, Whitefield	Unauthorised installation of roller shutter and access ramp	Enforcement Notice served 16/10/08; compliance period – 15/12/08	Appeal made awaiting start date for Appeal	Monitoring to ensure compliance with the steps of the Notice, if Appeal dismissed
08/0004 Elton Ward	30 Woodhill Road, Bury	Unauthorised erection of a conservatory	Enforcement Notice served 16/10/08; compliance period – 14/01/09	Appeal made 20/11/08	Planning permission granted for the conservatory in a reduced form however Appeal continuing as appellant wants to keep what has been erected.

08/0004 Elton Ward	30 Woodhill Road, Bury	Unauthorised erection of a garage	Enforcement Notice served 16/10/08; compliance period – 14/01/09	Appeal made and later withdrawn	Evidence provided which showed the garage had been erected for more than 4 years and was therefore, immune from enforcement action. Notice withdrawn. No further action regarding the garage
08/0223 Tottington Ward	3 Ryecroft Avenue, Tottington, Bury	Unauthorised erection of decking and railings	Enforcement Notice served 21/10/08; compliance period – 19/01/09	No Appeal made	Monitoring to ensure compliance with the steps of the Notice
08/0229 Tottington Ward	5 Ryecroft Avenue, Tottington, Bury	Unauthorised erection of decking and railings	Enforcement Notice served 21/10/08; compliance period – 19/01/09	No Appeal made	Monitoring to ensure compliance with the steps of the Notice. Planning permission 50800 granted for decking in a reduced form which is acceptable. Owner to rebuild decking in accordance with this permission.
07/0306 Sedgley Ward	16 Kings Road, Prestwich	Unauthorised erection of decking and railings	Enforcement Notice served 5/11/08; compliance period – 5/3/09	No Appeal made	Site checked 3/3/09 decking now removed notice complied with no further action required.
08/0506 Sedgley Ward	30 Kings Road, Prestwich	Unauthorised erection of decking and railings	Enforcement Notice served 11/12/08; compliance period – 13/04/09	Appeal made 12/1/09	Monitoring to ensure compliance with the steps of the Notice, if Appeal dismissed
07/0232 Radcliffe West Ward	Land rear 26 Albion Street, Radcliffe	Unauthorised construction of gabion wall	Enforcement Notice served 10/12/08; compliance period – 11/04/09	No Appeal made	Monitoring to ensure compliance with the steps of the Notice

08/0361 Pilkington Park Ward	1 Oakdale Close, Whitefield	Without planning permission the siting of a metal container in the front garden	Enforcement Notice served 10/12/08; compliance period – 13/03/09	No Appeal made	Site checked 19/3/09 Notice now complied with container removed. No further action required.
08/0220 Pilkington Park Ward	Land near 31 Farm Lane, Prestwich	Without planning permission the change of use of grazing land to a hardstanding/car park	Enforcement Notice served 18/12/08; compliance period – 25/04/09	No Appeal made	Monitoring to ensure compliance with the steps of the Notice.
08/0055 Radcliffe North Ward	41 Bury Old Road, Ainsworth, Bury	Change of use to car sales and car repair business	Planning Contravention Notice served 3/10/08	N/A	Notice complied with. No further action required
08/0506 Sedgley Ward	30 Kings Road, Prestwich	Erection of raised decking and railings to the rear	Planning Contravention Notice served 18/11/08	N/A	Notice complied with. Enforcement Notice served
08/0504 Elton Ward	Unit 20, Boholt Industrial Park, Walshaw Road, Bury	Change of use from class B2 to car valeting/car wash	Planning Contravention Notice served 28/11/08	N/A	Notice complied with. No further action required
07/0382 Church Ward	Airmatic Ltd, Unit 4 Lowercroft Business Park, Lowercroft Road, Bury	Breach of condition 2 of C/16825/85 regarding operating outside the approved hours of operation	Planning Contravention Notice served 22/12/08	N/A	Notice complied with. No further action required
07/0382 Church Ward	BurLOW Engineering Unit 3A Lowercroft Business Park, Lowercroft Road, Bury	Breach of condition 2 of C/16825/85 regarding operating outside the approved hours of operation	Planning Contravention Notice served 22/12/08	N/A	Notice complied with. No further action required

07/0382 Church Ward	Astra Fans Lowercroft Business Park, Lowercroft Road, Bury	Breach of condition 2 of C/16825/85 regarding operating outside the approved hours of operation	Planning Contravention Notice served 22/12/08	N/A	Notice complied with. No further action required
07/0382 Church Ward	Hannah Nightingale Furniture Ltd Lowercroft Business Park, Lowercroft Road, Bury	Breach of condition 2 of C/16825/85 regarding operating outside the approved hours of operation	Planning Contravention Notice served 22/12/08	N/A	Notice complied with. No further action required
07/0184 Sedgley Ward	25 Windsor Crescent, Prestwich	Two storey extension not built in accordance with approved plans	Planning Contravention Notice served 9/1/09	N/A	Notice not complied with to date
08/0135 North Manor Ward	13 Mount Pleasant, Nangreaves, Bury	Erection of satellite dish to front elevation of Listed Building	Planning Contravention Notice served 20/1/09	N/A	Notice complied with and dish removed. No further action required
07/0298 Ramsbottom Ward	48 Regent Street, Ramsbottom	Erection of detached garage on access road at side of property	Planning Contravention Notice served 28/1/09	N/A	Notice not complied with to date
08/0441 Tottington Ward	Stables leisure Club, Bolholt Hotel, Walshaw Road, Bury	Erection of ornamental Gazebo without planning permission	Enforcement Notice served 20/1/09, takes effect on 21/2/09 – compliance period 21/5/09	Appeal made 18/2/09	Monitoring to ensure compliance with the steps of the Notice, if Appeal dismissed.
08/0419 Radcliffe West Ward	Former garage site, Outwood Road / Ringley Road West, Radcliffe	Unauthorised change of use of land to a car wash/valetting use	Enforcement Notice served 22/1/09, takes effect on 23/2/09 – full compliance period 23//04/09	No Appeal made	Monitoring to ensure compliance with the steps of the Notice.

08/0551 Moorside Ward	Fernhill Mill, Hornby Street, Bury	Unauthorised change of use of Unit B2 Fernhill Mill from B2/B8 Use, to a Gymnasium Use D2	Enforcement Notice served 10/2/09, takes effect on 15/3/09 – full compliance period 15/4/09	No Appeal made	Monitoring to ensure compliance with the steps of the Notice.
09/0027 Radcliffe North Ward	Land adjacent to 115 Bury New Road, Brightmet, Bolton	Change of use of vacant land to residential garden	Planning Contravention Notice served 27/4/09	N/A	Monitoring to ensure compliance with the Notice.
09/0001 Ramsbottom Ward	Higher House, Moor Road, Holcombe Village, Bury	Carrying out Development without complying with conditions of planning permission 47577	Temporary Stop Notice served 18/2/09	N/A	Monitoring to ensure compliance with the Notice.
08/0486 Redvales Ward	626 Manchester Road, Blackford Bridge, Bury	Without planning permission, the erection of roller shutters on the front elevation.	Enforcement Notice served 2/3/09, takes effect on 2/4/09 – full compliance period 2/6/09	No Appeal made to date	Monitoring to ensure compliance with the steps of the Notice, if no Appeal made.
08/0489 Besses Ward	Land at Cowl Gate Farm, Pole Lane, Unsworth, Bury	Unauthorised tipping on the land	Temporary Stop Notice served 16/3/09	N/A	Monitoring to ensure compliance with the Notice.
08/0380 Moorside Ward	Land and property at Tesco Store, Woodfields Retail Park, Peel Way, Bury	Non compliance with condition 4 of planning permission 46536/06 relating to provision of customer cycling facilities.	Breach of Condition Notice served 26/3/09, - full compliance period 26/6/09	N/A	Monitoring to ensure compliance with the steps of the Notice.
08/0446 Sedgley Ward	83 Windsor Road, Prestwich	Without planning permission the erection of a canopy at rear of the site	Enforcement Notice served 31/3/09, takes effect 3/5/09 – full compliance 3/6/09	No Appeal made todate	Monitoring to ensure compliance with the steps of the Notice, if no Appeal made.

		along the boundary with 85 Windsor Road.			
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N/A in the 'Appeal made' column means that there is no Appeal available for these types of Notices under Planning Legislation