

Enforcement Cases						
CASE NUMBER	WARD	ADDRESS / LOCATION	BREACH OF PLANNING CONTROL	TYPE OF NOTICE SERVED	APPEAL MADE AND RESULT	COMPLIANCE / ACTION TAKEN
11/0545	Bury East - Moorside Ward	Property at unit 1 Fernhill Mill, Hornby Street, Bury	Unauthorised erection of advertisements	Planning Contravention Notice served 8/12/11	N/A	Owner submitted application for Advertisement Consent which was invalid. Further contact with owner made and he requested more time to complete and return Notice as required. Proceeding towards prosecution.
10/0462	Bury East - Moorside Ward	Land and property at 26 Walmersley Road, Bury	Untidy land and property	Section 215 Notice served 22/12/11, takes effect on 24/1/12, time for compliance 90 days after the Notice takes effect i.e. by 23/4/12	Appeal made in time & received summons to appear at Bury Mags Court on 19/4/12	Awaiting outcome before deciding upon further action.
11/0564	Bury East - Moorside Ward	Land between Walmersley Road and Peter Street, Bury	Untidy land	Section 215 Notice served 22/12/11, takes effect on 24/1/12, time for compliance 90 days after the Notice takes effect i.e. by 23/4/12	No Appeal made to date	Monitoring to ensure Notice complied with.
10/0460	Bury East - Moorside Ward	Euro House, 30-34 Walmersley Road, Bury	Untidy land and property	Section 215 Notice served 22/12/11, takes effect on 24/1/12, time for compliance 90 days after the Notice takes effect i.e. by 23/4/12	Appeal made in time & received summons to appear at Bury Mags Court on 19/4/12	Awaiting outcome of Appeal before deciding upon further action.

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UPDATE OF LIST OF NOTICES SERVED AND ACTIONS TAKEN

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10/0120	Bury East Moorside Ward	Land and properties at 204, 206 & 208 Walmersley Road, Bury	Untidy land and properties	Section 215 Notice served 20/5/10, takes effect 3/7/10, full compliance 3/10/10	No Appeal made	Notices not complied with. The properties have now been repossessed by the Clydesdale Bank and are in the process of being sold off by auction or other means. Received information that the properties have now been sold at auction to a developer. Monitoring before deciding upon next course of action.
10/0170	Bury East Moorside Ward	Land at Davises Farm, Mather Road, Bury	Siting of a metal container on the site	Enforcement Notice served 27/1/11, takes effect on 28/2/11, time for compliance 60 days ie by 29/4/11	No Appeal made	A Planning Application no. 53814 was submitted on 25/3/11 for the erection of a timber store to replace the metal container, which was approved on 17/6/11. a recent site inspection reveals the container is still on site in breach of the Notice. A further planning application is to be submitted to regularise matters. Not submitted to date, this is being followed up before further action being taken.
10/0457	Bury East Moorside Ward	38 Walmersley Road, Bury	Erection of advertisements	Planning Contravention Notice served 27/7/11	N/A	An application for advertisement consent no. 54569 was submitted and validated on 15/11/11. Consent was granted on 15/12/11 for the illuminated fascia sign, but refused for the illuminated projecting box sign. Proceeding towards prosecution.
11/0378	Bury East Moorside Ward	The Old Crow Pub, Bell Lane, Bury	Display of 48 Sheet Advertisement	Discontinuance Notice served 28/10/11; takes effect after 9 weeks ie by 30/12/11; time to comply 30 days ie by 29/01/12	Appeal made 23/11/11	Monitoring to ensure Notice complied with if Appeal dismissed.
10/0450	Bury East Moorside Ward	56/58 Walmersley Road, Bury	erection of satellite dish and illuminated advertisements	Planning Contravention Notice served 09/11/11	N/A	Information not provided as required by the Notice. Letter sent to owner requiring the Notice be completed and returned otherwise further action to follow.

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10/0570	Bury East Ward	Land and property at 49 Andrew Street, Bury	Without planning permission the erection of a timber frame and corrugated sheet panel structure	Enforcement Notice served 3/2/11, takes effect on 3/3/11, time for compliance 30 days ie by 2/4/11	No Appeal made	A retrospective planning application number 53772 submitted on 15/3/11 for the car port, which was refused on 18/4/11. A Prosecution file was sent to Legal. The owner appeared at Bury Magistrates Court on 16/11/11, pleaded Guilty for the continued non compliance with the Notice. He was fined a total of £756 including costs. The Notice has now been fully complied with. Case closed.
10/0397	Bury East Ward	Land and property at 141 Rochdale Road, Bury	Without planning permission, the erection/installation of a roller shutter covering the front shop window	Enforcement Notice served 29/7/11, takes effect on 31/8/11, time for compliance 60 days i.e. by 30/10/11	No Appeal made	Notice not complied with. Prosecution case sent to Legal on 8/12/11. Owner to appear at Bury Magistrates Court on 13/2/12, first appearance. Case adjourned again until 19/4/12.
11/0318	Bury East Ward	Land and property at 129 Rochdale Road, Bury	Without the benefit of planning permission the erection/installation of a roller shutter on the front elevation of the building	Enforcement Notice served 14/9/11, takes effect on 15/10/11, time for compliance 60 days i.e. by 14/12/11	Appeal made 11/10/11	Appeal dismissed on 16/12/11, Notice now has to be complied with by 14/2/12. Monitoring to ensure Notice complied with. A planning application 54781 was submitted 18/1/12 for a different type of shutter. Continuing to monitor to ensure this is implemented.
11/0301	Bury East Ward	Land and property at 197 Rochdale Road, Bury	Without planning permission the unauthorised change of use of the premises to an office (Class A2) and the installation of a new shop front and roller shutter, to the front of the building.	Planning Contravention Notice served 26/9/11	N/A	Information not provided as required by the Notice. Letter sent to owner requiring the Notice be completed and returned otherwise further action to follow. Further action in the form of an Enforcement Notice now to be taken.

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11/0072	Bury West Ward	Land and property at Lowercroft Business Park, Lowercroft Road, Bury	Fail to comply with condition 2 of planning permission no. C/16825/85 relating to hours of work at the premises.	Breach of Condition Notice served 23/12/11, time for compliance 30 days i.e. by 22/1/12	N/A	Monitoring to ensure Notice complied with.
11/0514	Bury West Ward	Land and property at 24 Andrew Street, Bury	Untidy land	Planning Contravention Notice served 22/2/12	N/A	Information provided as required by the Notice, case closed.
12/0065	Bury West Ward	Land and property at 486 Bolton Road, Bury	Untidy land and property	Section 215 Notice served 12/3/12, takes effect 15/4/12, full compliance 90 days i.e. by 13/7/12	No Appeal made to date	Monitoring to ensure Notice complied with, if no Appeal made.
11/0112	Bury West Ward	497 Rochdale Road, Bury	Unauthorised works to a Listed Building - installation of replacement Chimney stack	Listed Building Enforcement Notice served 13/3/12, takes effect on 13/4/12, time for compliance 18 months i.e. by 14/10/14	No Appeal made to date	Monitoring to ensure Notice complied with, if no Appeal made.
11/0069	Bury West Ward	495 Rochdale Road, Bury	Unauthorised works to a Listed Building - installation of replacement Chimney stack	Listed Building Enforcement Notice served 13/3/12, takes effect on 13/4/12, time for compliance 18 months i.e. by 14/10/14	No Appeal made to date	Monitoring to ensure Notice complied with, if no Appeal made.

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11/0439	Holyrood Ward	Land and property at 5 Orange Hill Road, Prestwich	Untidy land and property	Section 215 Notice served 29/11/11, takes effect 30/12/11, full compliance 30 days i.e. by 29/1/12	No Appeal made	Notice part complied with. Continuing to monitor.
10/0587	North Manor Ward	Land at former Baldingstones Works, Walmersley Old Road, Bury	Without planning permission, the erection of a building (partly constructed) on the site	Enforcement Notice served 26/7/11, takes effect on 30/8/11, time for compliance 60 days i.e. by 29/10/11	No Appeal made	Owner willing to demolish in accordance with steps of Notice and has asked for an extension of time to comply with the Notice until 22/3/12, which has been agreed to. Chasing compliance otherwise prosecution to continue.
12/0033	North Manor Ward	Gattopardo, 2 Robin Road, Summerseat	Use of the site for the display of advertisements	Planning Contravention Notice served 25/1/12	N/A	Information provided as required by the Notice.
08/0377	Pilkington Park Ward	Land at 27-29 Radcliffe New Road, Radcliffe	Non compliance with condition 12 of planning permission 44467 regarding provision of artwork on the site	Breach of Condition Notice served 29/11/10, takes immediate effect, time for compliance 90 days ie by 28/2/11	N/A	Notice not complied with, Following re assessment of the case no further action proposed against the owners of the flats but to continue against the developer for not providing the artwork.
08/0068	Prestwich Holyrood Ward	313 Bury Old Road, Prestwich	Without planning permission created an unauthorised access onto a classified road	Enforcement Notice served 23/7/10, takes effect 27/8/10, time for compliance 90 days ie by 25/11/10	No Appeal made	Prosecution file sent to Legal on 23/11/11 for the continued non compliance with the Enforcement Notice. Owner appeared at Bury Magistrates Court on 12/1/12, pleaded Guilty was given a Conditional Discharge and ordered to pay £536 Council's costs. Monitoring to ensure Notice now complied with, otherwise a further prosecution to follow.

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10/0148	Prestwich Holyrood Ward	40 Perrymead, Prestwich	Erection of a wall, fence and gate above 1 metre adjacent to a highway	Enforcement Notice served 20/10/10, takes effect 21/11/10, time for compliance 60 days ie by 20/1/11	No Appeal made	A retrospective planning application no. 54009 was submitted to retain the fence and gate, which was refused on 15/6/11 and the fence and gate remain in position. On 11/10/11, a prosecution file was sent to Legal. The owner appeared at Bury Magistrates Court on 12/1/12, pleaded Guilty and was given a Conditional Discharge and ordered to pay £581 Council's costs. Notice still not complied with, as a result a further prosecution file was sent to Legal on 22/2/12. Case appeared at Bury Magistrates Court and was adjourned until 19/4/12.
09/0331	Prestwich Holyrood Ward	131 Heys Road, Prestwich	Untidy land and property	Section 215 Notice served 30/6/11, takes effect on 01/08/11, time for compliance 90 days after the Notice takes effect i.e. by 29/10/11	No Appeal made	Monitoring to ensure Notice complied with. An application no. 54555, for prior notification to demolish the building was submitted on 18/10/11. The application was refused on 8/12/11. Owner of the property proving difficult to trace. Enquiries continuing.
09/0333	Prestwich Holyrood Ward	133 Heys Road, Prestwich	Untidy land and property	Section 215 Notice served 30/6/11, takes effect on 01/08/11, time for compliance 90 days after the Notice takes effect i.e. by 29/10/11	No Appeal made	Monitoring to ensure Notice complied with. An application no. 54555, for prior notification to demolish the building was submitted on 18/10/11. The application was refused on 8/12/11. Owner of the property proving difficult to trace. Enquiries continuing.

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10/0609	Prestwich Holyrood Ward	5 Bury Old Road, Prestwich	Unauthorised erection of metal flue, outbuilding, metal staircase and railings and installation of uPVC window	Enforcement Notice served 20/7/11, takes effect on 22/8/11, time for compliance 90 days i.e. by 20/11/11	Appeal made 12/8/11	Appeal dismissed on 23/1/12. Letter to owner stating the Notice now had to be complied with by 23/4/12. Monitoring to ensure compliance. Owner submitted a planning application no. 54928 on 5/3/12 for a rear extension to the property, which has not yet been determined. Continuing to monitor.
11/0085	Prestwich Holyrood Ward	Land adjacent to 25 Bedford Street, Prestwich	Without the benefit of planning permission, the erection of a 2 metre high fence adjacent to an unadopted highway used by vehicular traffic	Enforcement Notice served 28/9/11, takes effect on 28/10/11, time for compliance 60 days i.e. by 27/12/11	No Appeal made	Agreed extension of time to comply with the Notice to 30/5/12. To monitor to ensure the works required by the Notice are carried out by this date.
06/0622	Prestwich St Mary's Ward	Shrewsbury House, Lowther Road, Prestwich	Untidy land and property	Section 215 Notice served 20/7/09, takes effect 23/8/09, - full compliance 23/11/09	No Appeal made	Notice not complied with, prosecution on hold following change of ownership of the site and remedial tidy up works being carried out. A pre application meeting has been held on 12/3/12 prior to submission of a planning application to redevelop the site. Continuing to monitor progress.
09/0243	Prestwich St Mary's Ward	12 - 22 Warwick Street, Prestwich	Untidy land and property	Section 215 Notice served 12/1/10, takes effect on 12/2/10, - full compliance 12/5/10	No Appeal made	Notice part complied with. A planning application no. 53562 was approved on 30/9/11 for demolition of the building and erection of houses and apartments. Continuing to monitor the site to ensure the conditions and Section 106 Agreement is complied with.
10/0305	Prestwich St Mary's Ward	Land and property at 22 Stanley Avenue South, Prestwich	Untidy land and property	Section 215 Notice served 7/10/10, takes effect 5/11/10, full compliance 5/2/11	No Appeal made	Notice not complied with, owner indicated ill health and that he intended to sell the property in the near future. Negotiations with the owner continuing before proceeding towards prosecution, or works in default to secure compliance with the Notice.

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11/0568	Prestwich St Mary's Ward	487 Bury New Road, Prestwich	Erection of advertisements on the building	Planning Contravention Notice served 23/2/12	N/A	Information not yet provided as required by the Notice. Further letters to owner requesting the information be submitted otherwise they could be liable to further action.
11/0165	Prestwich St Mary's Ward	3 Butt Hill Road, Prestwich	Installation of solar panels to front elevation of the building	Enforcement Notice served 27/2/12, takes effect 30/3/12, time for compliance 60 days ie by 29/5/12	No Appeal made	Following submission of planning application no.54998 on 21/3/12 for retention of the solar panels; the Enforcement Notice was withdrawn on 26/3/12. Case closed.
11/0221	Prestwich Sedgley Ward	Land and property at 13 Mowbray Avenue, Prestwich	Untidy land and property	Section 215 Notice served 29/2/12, takes effect 2/4/12, full compliance 60 days i.e by 1/6/12	No Appeal made to date	Monitoring to ensure Notice complied with if no Appeal made.
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	Notice not complied with. The owners have gone into receivership and negotiations are taking place to sell the site to new owners. Continuing to monitor developments regarding the site.
08/0262	Radcliffe East Ward	16 Eastbrook Avenue, Radcliffe	Untidy land and property	Section 215 Notice served 21/7/09, takes effect on 21/8/09, - full compliance 21/9/09	No Appeal made	Section 330 served on occupant of property which reveals the owner is detained at HMP. Considering options available.
09/0436	Radcliffe East Ward	Land off Church Street East, Radcliffe	Untidy land	Section 215 Notice served 13/9/10, takes effect 16/10/10, full compliance 14/1/11	No Appeal made	Notice not complied with, proceeding towards prosecution.

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10/0506	Radcliffe East Ward	Land and properties at 46 & 48 Stand Lane, Radcliffe	Untidy land and properties	Section 215 Notices served 30/9/10, takes effect 3/11/10, full compliance 2/2/11	No Appeal made	Notices not complied with, proceeding towards prosecution.
10/0386	Radcliffe East Ward	Radcliffe Times Hostel, 44 Church Street West, Radcliffe	Untidy land and building	Section 215 Notice served 21/12/10, takes effect 28/1/11, full compliance 28/4/11	No Appeal made	Notice not complied with prosecution file sent to Legal on 1/11/11. Owner to appear at Bury Magistrates Court on 14/12/11, pleaded Guilty and was fined a total of £1,237. The owners are now wanting to meet to comply with the Notice. Awaiting contact from owners to agree temporary works as an interim measure.
11/0222	Radcliffe East Ward	Land off Brookbottom Road, Radcliffe	Change of use of land for storage of scaffolding and other materials	Enforcement Notice served 21/10/11, takes effect on 23/11/11, total time for compliance 60 days i.e. by 22/1/12	No Appeal made	Notice part complied with. Monitoring to ensure full compliance with the Notice.
10/0498	Radcliffe East Ward	Land attached to 43 Great Hall Close, Radcliffe	Without planning permission, the erection of a raised timber decking structure	Enforcement Notice served 14/12/10, takes effect on 18/1/11, time for compliance 60 days ie by 19/3/11	No Appeal made	Notice not complied with. In negotiations with owner following bereavement.
11/0192	Radcliffe East Ward	land at former Glebe Engineering works, Brook Street, Radcliffe	Untidy land	Section 215 Notice served 13/12/11, takes effect 17/1/12, full compliance 60 days i.e. by 17/3/12	No Appeal made	Notice not complied with. Proceeding towards prosecution.

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11/0192	Radcliffe East Ward	Former Glebe Works site, Brook Street, Radcliffe	Unauthorised importation and depositing of waste materials on the land	Temporary Stop Notice served 16/3/12 with immediate effect. Valid until 13/4/12	N/A	Notice being monitored and complied with.
12/0164	Radcliffe East Ward	Land adjacent to Bealey's Weir, River Irwell, Bury Road, Radcliffe	Unauthorised importation and depositing of waste materials on the land	Temporary Stop Notice served 27/3/12 with immediate effect. Valid until 24/4/12	N/A	Notice being monitored and complied with.
09/0327	Radcliffe West Ward	25 - 39 James Street North, Radcliffe	Untidy land and property	Section 215 Notice served 13/9/10, takes effect 17/10/10, full compliance 15/1/11	No Appeal made	A Planning permission had been granted on 19/11/10 for conversion of the offices to 8 terraced properties which following a recent site inspection, is being implemented. Continuing to monitor.
11/0155	Radcliffe West Ward	125A Water Street, Bury	Untidy land and property	Section 215 Notice served 22/6/11, takes effect on 22/7/11, time for compliance 90 days after the Notice takes effect i.e. by 20/10/11	No Appeal made	Notice not complied with. Proceeding towards prosecution.
10/0068	Radcliffe West Ward	29 Bury Old Road, Prestwich	Erection of advertisements on the building	Planning Contravention Notice served 16/2/12	N/A	Notice part complied with. Further request for information as required by the Notice.

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11/0486	Radcliffe North Ward	Land and property at 5 Stonedolph Close, Ainsworth, Bolton	Unauthorised change of use from residential, to a mixed use of residential and an office (Use Class B1)	Enforcement Notice served 16/1/12, takes effect on 20/2/12, total time for compliance 30 days i.e. by 21/3/12	No Appeal made	Monitoring to ensure Notice complied with.
11/0124	Radcliffe North Ward	Land and property at 87 Church Street, Ainsworth, Bolton	Without the benefit of planning permission, the erection of a building to be used as a residential dwelling	Enforcement Notice served 10/2/12, takes effect on 12/3/12, total time for compliance 120 days i.e. by 11/7/12	No Appeal made to date	Monitoring to ensure Notice complied with, if no Appeal made.
09/0038	Ramsbottom Ward	Irwell Bridge Mill, Kenyon Street, Ramsbottom, Bury	Non compliance with ten Conditions of planning permission 49636.	Ten Breach of Condition Notices served 30/9/09, with immediate effect - full compliance 30/12/09	N/A	Following the prosecution, the previous owner has now sold the site. The new owner has entered into negotiations with planning and submitted a planning application no. 53939 and an application for Conservation Area Consent no. 53980 for alterations and part demolition of the site. The applications were approved on 30/8/11. The site is continued to be monitored to ensure compliance with the conditions attached to the permissions.
09/0347	Ramsbottom Ward	11 Heatherside Road, Ramsbottom, Bury	High Hedges adjacent to 2 Cedar Crescent, and 29 to 35 Windermere Drive, Ramsbottom, Bury	Five High Hedge Remedial Notices served 7/10/09, takes effect 7/11/09, - full compliance 7/11/10	No Appeal made	Four of the Notices have now been complied with. The remaining Notice has been part complied with. Further negotiation with the owner to ensure full compliance before further action taken.

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10/0575	Ramsbottom Ward	Land rear of 514 Whalley Road, Ramsbottom	Unauthorised change of use of land from agriculture to residential domestic garden	Enforcement Notice served 29/3/11, takes effect on 30/4/11 time for compliance 30 days i.e by 31/5/11	No Appeal made against Enforcement Notice	A planning application no. 53553 was submitted on 13/1/11, which was refused on 24/3/11 and which was the subject of an Appeal made on 27/4/11. The Appeal was dismissed on 29/12/11. Action continuing to ensure compliance with the Enforcement Notice served. Letter sent to owner 3/1/12 requiring compliance. Site visit on 15/2/12 reveals Notice still not complied with. Prosecution file sent to Legal on 22/2/12 awaiting Court date.
09/0351	Ramsbottom Ward	Land off Railway Street, Ramsbottom, Bury	Untidy land	Section 215 Notice served 2/9/11, takes effect on 7/10/11, time for compliance 90 days after the Notice takes effect i.e. by 5/1/12	No Appeal made	Monitoring to ensure Notice complied with . The owner has commenced work on site to resurface the car park.
11/0354	Ramsbottom Ward	2 Hey House Mews, Holcombe Old Road, Holcombe, Bury	The installation/affixing of 10 solar photovoltaic panels on the front elevation of the roof, in breach of condition 4 of planning permission no. C/13893/82	Enforcement Notice served 23/12/11, takes effect on 31/1/12, time for compliance 60 days i.e. by 31/3/12	No Appeal made against the Notice.	Monitoring to ensure Notice complied with. A planning application number 54528 was submitted for the solar panels and was refused on 24/2/11. The refusal decision was the subject of an Appeal on 11/1/12. Awaiting outcome of Planning Application Appeal before taking further action regarding the Enforcement Notice.
	10/0434	Land adjacent to The Barn, Higher Tops Farm, Moor Road, Holcombe, Ramsbottom	Unauthorised creation of a hardstanding access track without planning permission	Enforcement Notice served 28/3/12, takes effect on 30/4/12 time for compliance 60 days i.e by 29/6/12	No Appeal made to date	Monitoring to ensure Notice complied with, if no Appeal made.

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11/0516	Tottington Ward	Land adjacent to 1 The Cross, High Street, Walshaw, Bury	Untidy land	Section 215 Notice served 20/3/12, takes effect on 22/4/12, time for compliance 60 days after the Notice takes effect i.e. by 19/6/12	No Appeal made against the Notice, todate.	Monitoring to ensure Notice complied with, if no Appeal made.
11/0506	Whitefield and Unsworth Ward	Whitefield House, Pinfold Lane, Whitefield	Untidy land and property	Section 215 Notice served 19/1/12, takes effect on 20/2/12, time for compliance 90 days after the Notice takes effect i.e. by 22/5/12	Appeal made in time. Summons received to attend Bury Mags Court on 19/4/12.	Awaiting outcome of Appeal before deciding upon further action.
11/0531	Whitefield and Unsworth Ward	Land off Castle Road, Pilsworth, Bury	Without planning permission the carrying out of an engineering operation, felling trees and erection of fencing.	Planning Contravention Notice served 8/2/12	N/A	Following site meeting with owner, remedial work carried out on site, reducing the banking and replacement trees planted. Owner requesting further time to finish off the work which was agreed to.