

APPENDIX 1

UPDATE OF LIST OF NOTICES SERVED AND ACTIONS TAKEN

Enforcement Cases						
CASE NUMBER	WARD	ADDRESS / LOCATION	BREACH OF PLANNING CONTROL	TYPE OF NOTICE SERVED	APPEAL MADE AND RESULT	COMPLIANCE / ACTION TAKEN
10/0462	Bury East - Moorside Ward	Land and property at 26 Walmersley Road, Bury	Untidy land and property	Section 215 Notice served 21/1/14, takes effect on 1/3/14, time for compliance 45 days after the Notice takes effect i.e. by 15/4/14	No Appeal made	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 21/1/14, takes effect on 1/3/14, time for compliance 90 days after the Notice takes effect i.e. by 30/5/14	No Appeal made	Notice now complied with in full, no further action required.
12/0582	Bury East - Moorside Ward	Former Scott and Rosse site, 2-20 Topping Street, Bury	Untidy land and property	Section 215 Notice served 18/9/13, takes effect on 23/10/13, time for compliance 90 days after the Notice takes effect i.e. by 21/1/14	No Appeal made	Monitoring to ensure Notice complied with. Difficulties encountered tracing owner of the property. The property is falling into further disrepair and Building Control are looking at action under their legislation, with a view to demolition. Continuing to monitor.

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11/0301	Bury East Ward	Land and property at 197 Rochdale Road, Bury	Without planning permission, the installation of a roller shutter on the front elevation of the building	Enforcement Notice served 22/10/12, takes effect on 23/11/12, time for compliance 60 days i.e. by 22/1/13	Appeal made 7/12/12	Appeal dismissed 17/7/13, owner had 60 days to comply with the Notice from the date of the Appeal decision ie until 15/9/13. Shutters remain in position. Prosecution file taken to Legal on 13/1/14. Owner appeared at Bury Magistrates Court on 1/3/14. Case adjourned until 18/3/14. Owner appeared at Court on 18/3/14, pleaded Guilty and was fined £500 with £740.80 costs. Continuing to monitor to ensure the Notice is complied with.
11/0069	Bury East 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 14/10/13	No Appeal made	Monitoring to ensure Notice complied with. The compliance period for a similar issue at 497 Rochdale Road expires on 23/5/14. Action to be taken against both properties if required after this date. See entry below.
11/0112	Bury East 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. Following Appeal decision owner has until 23/5/14 to comply.	Appeal made 2 April 2012	Appeal dismissed 23/11/12 Notice upheld. The compliance period with the Notice now takes effect so the appellant has until 23/5/14 to comply with the Notice.

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12/0464	Bury East Ward	171 Rochdale Road, Bury	Without planning permission, the installation of a roller shutter on the front elevation of the building	Enforcement Notice served 29/10/12, takes effect on 30/11/12, time for compliance 60 days i.e. by 29/1/13	No Appeal made	A planning application 55919 was submitted and approved on 4/3/13. Monitoring to ensure either the permission is implemented or the Notice complied with. No work has been carried out to implement the permission nor has the Notice been complied with so a prosecution file is to be compiled.
13/0301	Bury East Ward	Land and property at the former Waterloo Hotel, 155 Manchester Road, Bury	Without planning permission, the unauthorised change of use of part of the property to two Hot Food Takeaways	Enforcement Notice served 27/1/14, takes effect on 3/3/14, total time for compliance 60 days i.e. by 2/5/14	Appeal made 26/2/14	Awaiting outcome of Appeal before deciding upon next course of action.
13/0301	Bury East Ward	Land and property at the former Waterloo Hotel, 155 Manchester Road, Bury	Without planning permission the unauthorised erection of five metal flues to the side and rear elevations of the property	Enforcement Notice served 27/1/14, takes effect on 3/3/14, total time for compliance 90 days i.e. by 1/6/14	Appeal made 26/2/14	Awaiting outcome of Appeal before deciding upon next course of action.
12/0342	North Manor Ward	Land and property at 1b Brandlesholme Road, Greenmount, Bury	Without planning permission the erection/installation of a roller shutter on the front elevation of the building	Enforcement Notice served 31/1/13, takes effect on 8/3/13, time for compliance 60 days i.e. by 7/5/13	No Appeal made	A planning application number 55948 submitted for a new shop front with roller shutters. The application was refused. A further application number 56347 was submitted on 28/5/13 which was approved on 3/7/13. Monitoring to ensure permission implemented or Notice complied with.

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13/0139	Prestwich St Mary's Ward	Land at Shrewsbury House, Lowther Road, Prestwich	Unauthorised removal of 18 trees protected by Tree Preservation Order	Tree Replacement Notice served on 4/12/13, requiring 18 replacement trees to be planted. Notice takes effect on 10/1/14, with 8 calendar months to comply i.e. by 10/9/14	No Appeal made	Monitoring to ensure Notice complied with.
12/0145	Prestwich Sedgley Ward	Land and property at 30 Bury Old Road, Prestwich	Change of use of site to a mixed use of residential and for the commercial properation of food and operational development consisting of the siting of a portacabin structure	Enforcement Notice served 14/3/13, takes effect on 15/4/13, total time for compliance 90 days i.e. by 14/7/13	No Appeal made	Owner appeared at Bury Magistrates Court on 29/4/14 and promised to remove portacabin to comply with the Notice and pay £520 towards costs by 10/6/14. The case was adjourned to 10/6/14. Notice now complied with, no further action required.
12/0535	Prestwich Sedgley Ward	Prestwich Muslim Welfare Trust, 52 Bury Old Road, Prestwich	Without planning permission the construction of a single storey extension to the property	Enforcement Notice served 6/8/13, takes effect on 13/9/13, total time for compliance 90 days i.e. by 12/12/13	No Appeal made	A planning application no. 56824 was approved on 21/1/14. Monitoring to ensure the permission is implemented or the Notice is complied with.
12/0516	Prestwich Sedgley Ward	Land and property at 1 Silverdale Avenue, Prestwich	Without planning permission, the erection of a boundary wall in excess of 1 metre in height adjacent to the highways of Belfield Road and Silverdale Road	Enforcement Notice served 15/8/13, takes effect on 16/9/13, total time for compliance 60 days i.e. by 1/11/13	No Appeal made	A planning permission no. 56723 was granted on 24/10/13 for a wall at a reduced height subject to a condition the wall had to be lowered within 3 months of the planning decision i.e by 24/1/14. Monitoring to ensure wall reduced by that time, or the Notice complied with.

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13/0292	Prestwich Sedgley Ward	Land and property at 24 Holyrood Road, Prestwich	Untidy land and property	Section 215 Notice served 11/11/13, takes effect on 13/12/13, total time for compliance 90 days i.e. by 13/3/14	No Appeal made	Notice still not complied with, proceeding towards a prosecution.
13/0434	Prestwich Sedgley Ward	Land and property at 90 Downham Crescent, Prestwich	Untidy land and property	Section 215 Notice served 4/11/13, takes effect on 5/12/13, total time for compliance 90 days i.e. by 5/3/14	No Appeal made	Monitoring to ensure Notice complied with.
13/0469	Prestwich - Sedgley Ward	16 Beaufort Street, Prestwich	Untidy gable of property	Section 215 Notice served 3/3/14, takes effect 8/4/14, time for compliance 60 days after the Notice takes effect ie by 7/6/14	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 to date. The owners have gone into receivership and new owners have been in contact and are wanting to comply with conditions including artwork. A piece of artwork is being considered and if approved to be completed and installed on site. Continuing to monitor developments.
13/0096	Radcliffe East Ward	Site of Trumeter Ltd, Milltown Street, Radcliffe	Unauthorised importation and depositing of waste materials on the land, as well as alteration of levels without planning permission.	Enforcement Notice served 29/5/13, takes effect on 3/7/13, total time for compliance 90 days i.e. by 1/10/13	No Appeal made	Monitoring to ensure Notice complied with.

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11/0540	Radcliffe West Ward	Land and property at New Bay Public House, 219 Stand lane, Radcliffe	Without planning permission the erection of a dormer at the rear of the property	Enforcement Notice served 27/11/12, takes effect on 31/12/12, total time for compliance 90 days i.e. by 31/3/13	No Appeal made	Notice not complied with. A prosecution file sent to Legal on 11/6/13. The two owners appeared at Bury Magistrates Court on 20/8/13 and requested an adjournment which was granted to 3/9/13. They both appeared that date pleaded Guilty and were both fined £100 and each ordered to pay costs of £449. Continuing to monitor to ensure the dormer is dismantled and removed as required by the Notice.
12/0078	Radcliffe West Ward	Land and property at 21 Shakespeare Avenue, Radcliffe	Without planning permission the erection of an extension at the rear of the property	Enforcement Notice served 9/9/13, takes effect on 15/10/13, total time for compliance 90 days i.e. by 13/1/14	No Appeal made	Monitoring to ensure Enforcement 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 against the Enforcement Notice	2 planning applications have been submitted and refused regarding variations to the roof design application numbers 52380 and 54712 refer. Both have been refused and are the subject of planning appeals made on 29/2/12. Both appeals dismissed on 27/7/12. Following a meeting with the owner a further planning application was submitted, application 55980 refers which was refused on 24/4/13. An Appeal was made on 2/7/13 against the refusal decision which was dismissed on 30/12/13. A further meeting was held with the owner and his agent resulted in a further planning application to be submitted for the house in a reduced form. Continuing to monitor.

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12/0301	Radcliffe North Ward	Land rear of 242 Bradley Fold Road, Radcliffe Bolton	Change of use of land to residential	Enforcement Notice served 2/9/13, takes effect on 9/10/13, total time for compliance 60 days i.e. by 8/12/13	Appeal made 7/10/13	Appeal dismissed 28/1/14. The owner had the compliance period of the Notice to then comply, which was by 29/3/14. Follow up enquiries to ensure the Notice is now complied with.
10/0434	Ramsbottom Ward	The Barn, Higher Tops farm, Moor Road, Holcombe, Ramsbottom	formation of access track and car park without planning permission.	Enforcement Notice served 10/4/12, takes effect on 15/5/12 time for compliance 60 days i.e by 14/7/12	No Appeal made	Monitoring to ensure this Notice complied with. A retrospective planning application no. 55296 was submitted on 8/6/12 for retention of the car park and access track which was refused on 13/8/12. The owners have indicated they intend to resubmit a planning application. Allowed until 20/12/12 to see if a further application is submitted, before taking further action. A further application no. 55864 was submitted on 11/12/12, which was refused on 24/1/13. An Appeal was made against the refusal decision on 3/4/13. The Appeal was dismissed on 3/9/13. Prosecution file sent to Legal 5/3/14 for continued non compliance with the Notice, Court date scheduled for 22/06/2014 for plea
13/0058	Ramsbottom and Tottington Ward	Land and property at Spring Vale Street, Tottinton, Bury	Without planning permission the unauthorised change of use of the site to plant hire and plant sales	Enforcement Notice served 17/10/13, takes effect on 22/11/13, total time for compliance 60 days i.e. by 21/1/14	Appeal made on 14/11/13	Plannin permission granted on appeal, subject to conditions including a condition controlling hours of operation.

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12/0047	Ramsbottom and Tottington Ward	Gable of 208 Bolton Street, Ramsbottom	Untidy gable of property	Section 215 Notice served 21/1/14, takes effect 21/2/14, time for compliance 60 days after the Notice takes effect ie by 22/4/14.	No Appeal made	Notice complied with, no further action required.
10/0434	Ramsbottom and Tottington Ward	Land adjacent to The Barn, Higher Tops Farm, Moor Road, Holcombe, Ramsbottom	Without planning permission, the change of use from Agriculture to the parking/storage of vehicles and trailers	Enforcement Notice served 19/3/14, takes effect on 19/4/14, total time for compliance 30 days i.e. by 19/5/14	No Appeal made to date	Enforcement Notice complied with to date, monitoring to ensure no breaches of the Notice
13/0458	Radcliffe West Ward	2 Suthers Street, Radcliffe, Manchester M26 1JW	Breach of condition 2 of planning permission 54897 - Approved drawings	Breach of Condition Notice served 14/05/14, compliance period of 60 days	No Appeal made	Monitoring to ensure Notice complied with
13/0458	Radcliffe West Ward	2 Suthers Street, Radcliffe, Manchester M26 1JW	Breach of condition 3 of planning permission 54897 - Render to match	Breach of Condition Notice served 14/05/14, compliance period of 60 days	No Appeal made	Monitoring to ensure Notice complied with
13/0458	Radcliffe West Ward	2 Suthers Street, Radcliffe, Manchester M26 1JW	Breach of condition 4 of planning permission 54897 - Paint or powder coat stairs	Breach of Condition Notice served 14/05/14, compliance period of 60 days	No Appeal made	Monitoring to ensure Notice complied with
12/0011	Radcliffe North Ward	Land at Ainsworth Hall Farm, Ainsworth Hall Road, Bolton	Change of use of land to a mixed use of agriculture and for the parking/storage of vehicles	Enforcement Notice served 15/05/14, compliance period of 60 days	Appeal made	Awaiting outcome of Appeal

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12/0011	Radcliffe North Ward	Land at Ainsworth Hall Farm, Ainsworth Hall Road, Bolton	Erection of a two storey building	Enforcement Notice served 15/05/14, compliance period of 60 days	Appeal made	Awaiting outcome of Appeal
12/0011	Radcliffe North Ward	Land at Ainsworth Hall Farm, Ainsworth Hall Road, Bolton	Change of use of land for residential purposes	Enforcement Notice served 15/05/14, compliance period of 30 days	No Appeal made	Monitoring to ensure Notice complied with
13/0484	East Ward	Land at Fountain Street North, Bury	Change of use to childrens play centre	Enforcement Notice served 16/06/14, compliance period of 90 days	No Appeal made	Monitoring to ensure Notice complied with
14/0227		Land at Wesley Street, Tottington	Erection of a gabion wall	Temporary Stop Notice issued on the 18/06/14	No Appeal Made	Monitoring to ensure Notice complied with
13/0647		Land at the rear of 84 & 86 Church Street West, Radcliffe	Untidy property affecting the amenity of the area	Section 215 Notice issued on the 23/06/14	No Appeal Made	Monitoring to ensure Notice complied with
13/0647		Land at 84, 84a & 84b Church Street West, Radcliffe	Untidy property affecting the amenity of the area	Section 215 Notice issued on the 23/06/14	No Appeal Made	Monitoring to ensure Notice complied with
13/0647		Land at 86, 86a & 86b Church Street West, Radcliffe	Untidy property affecting the amenity of the area	Section 215 Notice issued on the 23/06/14	No Appeal Made	Monitoring to ensure Notice complied with
14/0058		Land adjacent to 7 Kelwood Avenue, Bury	Erection of a building	Enforcement Noticed issued 11/07/14	No Appeal Made	Monitoring to ensure Notice complied with
13/0626		Land at Tile Street, Bury	Breach of Condition 2 of planning permission 54996 - Rendering	Breach of Condition Notice issued 16/07/14	No Appeal Made	Monitoring to ensure Notice complied with. Assurances from Company that the Noitice will be complied with.

