

Report to Planning and Licensing Committee



Date of Meeting	8 th August 2019
Portfolio	Councillor Carol Wardle Cabinet Member for Planning, Development & Housing
Report Author	Richard Elliott
Public/Private Document	Public

Application: N/A (Enforcement Appeal Decision)	Township: Middleton	Ward: North Middleton
Appeal reference: APP/P4225/C/18/3215489		
Site Address: 376-378 Rochdale Road, Middleton M24 2QQ		
Alleged Breach: Without the benefit of planning permission operational development comprising the installation of cladding to the ground floor front and western side of the building up to cill level of the windows at the first floor, and the application of render to the ground floor front elevation of the building.		
Appellant: Mr K Malik	Agent: Rob Duncan Planning Consultancy Ltd	
Planning Inspectorate Decision: Enforcement Appeal Dismissed 18 th June 2019		
<ul style="list-style-type: none"> – Following receipt of notification of a breach of planning control to the Council's Planning Enforcement Team regarding the installation of cladding to the building, an enforcement investigation began in August 2017. The Council considered it expedient to take action against the breach and therefore an Enforcement Notice was issued on 9th October 2018. – The Notice required the removal of the cladding, associated materials and frameworks from the ground floor and western side elevation of the building up to cill level of the first floor windows; the removal of render applied to the ground floor front elevation of the building; restoration of the elevations to their condition before the installation of the cladding and the application of the render; and the removal of all materials and items from the site. – The Notice was appealed on the grounds that planning permission should be granted, that the steps required by the Notice exceeded what was necessary, and that the time given to comply with the Notice (five months) was too short. – The appeal was dismissed and the Inspector agreed with the Council that the cladding and render caused unacceptable harm to the host property and the wider area. The Inspector also concluded that the requirements of the Notice were not excessive and were appropriate to remedy the breach of planning control that had occurred. Taking into consideration the residents' health and wellbeing the Inspector did extend the time period for compliance to nine months. – Officers will be monitoring the premises to ensure that the Notice is complied with. 		