

Report to Planning and Licensing Committee



Date of Meeting	5 th March 2020
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: Pennines	Ward: Wardle & West Littleborough
Appeal reference: APP/P4225/C/19/3231267		
Site Address: Land adjacent to 195 Wardle Road, Wardle, Rochdale OL12 9JB		
Alleged Breach: Without the benefit of planning permission the material change of use of the Land from agriculture to a mixed use comprising the kenneling of dogs and the parking and storage of vehicles, facilitated by: 1) the construction of kennel buildings; 2) the creation of a hard surface; 3) the erection of 1.8m high fencing around the Land, and; 4) the formation of a vehicular access onto Wardle Road.		
Appellant: Mr Richard Lear	Agent: N/A	
Planning Inspectorate Decision: Enforcement Appeal Dismissed 5 th February 2020		
<ul style="list-style-type: none"> - Following receipt of notification of an alleged breach of planning control regarding the change of use of the Land, the Council considered it expedient to take action and therefore an Enforcement Notice was issued on 23rd May 2019. - The Notice required the following within 4 months: <ul style="list-style-type: none"> (a) Demolish all the buildings on the Land; (b) Dig up all of the hard surface on the Land; (c) Remove all vehicles from the Land; (d) Reduce the fencing fronting Wardle Road to 1m in height; (e) Remove the gates fronting Wardle Road and replace with a 1m high fence; (f) Cease the use of the Land for the parking and storage of vehicles; (g) Erect a post and rail fence to the Wardle Road frontage in the location where the vehicular access point has been created. The fence shall match the immediately adjacent post and rail fence and form a continuous boundary with that fence and the stone wall; (h) Seed the Land to grass; and; (i) Remove all materials and all other items resulting from compliance with requirement (a) – (g) inclusive from the Land. - The Notice was appealed on the ground that the requirements were excessive to achieve the purpose(s) of the notice. - The appeal was dismissed and the Notice was upheld with a variation that the gates fronting Wardle Road do not need to be replaced with a 1m high fence. - Officers will be monitoring the Land to ensure that the Notice is complied with. 		