

Report to Planning and Licensing Committee



Date of Meeting	5th 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: Milnrow and Newhey
Appeal reference: APP/P4225/C/19/3230313		
Site Address: Fishing Lodges on the Eastern Side of Huddersfield Road And To The South Of Smithy Green, Newhey, Rochdale OL16 3TG		
Alleged Breach: Without the benefit of planning permission the material change of use of the land from a recreational fishery to a mixed use as a recreational fishery and the siting of a static caravan for residential use.		
Appellant: Mr Graham Tonge	Agent: N/A	
Planning Inspectorate Decision: Enforcement Appeal Dismissed 29 th January 2020		
<ul style="list-style-type: none"> – Following receipt of notification of an alleged breach of planning control regarding the siting and residential occupation of a static caravan, an enforcement investigation began in 2017. A retrospective planning application was subsequently submitted (planning reference 18/00768/FUL), and was refused in November 2018. The Council considered it expedient to take action against the breach and therefore an Enforcement Notice was issued on 4th June 2019. – The Notice required: <ul style="list-style-type: none"> (a) Cease the use of the Land for residential use; (b) Remove the static caravan from the Land; (c) Remove from the Land all stands, blocks and all other associated components used to station the static caravan. – The period for compliance with the Notice was nine months. – The Notice was appealed on the ground that planning permission should be granted. – The appeal was dismissed and the Notice was upheld in full. The Inspector concurred with the Council that the development constituted inappropriate development within the Green Belt and caused harm to the openness of the Green Belt, and that there were no very special circumstances to outweigh the identified harm to the Green Belt and the character and appearance of the area. – Officers will be monitoring the Land to ensure that the Notice is complied with. 		