

Report to Planning and Licensing Committee



Date of Meeting	6 th August 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: Littleborough Lakeside
Appeal reference: APP/P4225/C/19/3231391		
Site Address: Land on the south east side of Todmorden Road, Littleborough OL15 9AF		
Alleged Breach: Without planning permission ongoing engineering operations comprising: the formation, layout out and construction of a means of access to a classified road with the erection of associated fencing and gates, and engineering operations comprising the re-profiling and raising of land facilitated by the importation and deposit of soil, stone, brick, plainings and other building materials.		
Appellant: Mr Graham Ramsden	Agent: N/A	
Planning Inspectorate Decision: Enforcement Appeal Dismissed 27 February 2020		
<ul style="list-style-type: none"> - The Enforcement Notice (in addition to a Stop Notice) was issued on 12th June 2020. - The Notice required the following: <ul style="list-style-type: none"> (a) Cease the importation of soil, stone, brick, plainings and other building materials on the Land; (b) Cease the excavation, levelling and re-grading of the Land; (c) Dig up and remove all imported soil, stone, brick, plainings and other building materials from the Land; (d) Remove the fencing and gates from the Land, and; (e) Restore the Land to its former levels and seed to grass. - The time period given for compliance was one day for requirements (a) and (b) and two months for requirements (c) (d) and (e): - The Notice was appealed on the Ground that the matters alleged in the notice do not constitute a breach of planning control. - The appeal was dismissed and the enforcement notice was upheld subject to a variation to delete the words "and gates" from requirement (d). - The Inspector concurred with the Council that the works and activities on the Land constituted development requiring planning permission. - Separately, the landowner had applied retrospectively to the Council for planning permission for the development. That application has been refused by officers (planning reference 19/01046/FUL). The landowner has contacted the LPA to confirm that he will be appealing that decision also. - Requirements (a) and (b) are being complied with, and should no appeal be 		

submitted in respect of the planning refusal, or in the event that the appeal is dismissed, Officers will seek to ensure that the Notice is complied with in full.