

REPORT FROM:	HEAD OF LEGAL SERVICES
TO:	NELSON, BRIERFIELD AND REEDLEY COMMITTEE
DATE:	30th JANUARY, 2023

Report Author:	Khadija Yakoob, Legal Services
Tel. No:	01282 661650
E-mail:	<u>khadija.yakoob@pendle.gov.uk</u>

**ENFORCEMENT ACTION
NELSON, BRIERFIELD AND REEDLEY**

BUILDING ACT NOTICES, ENFORCEMENT NOTICES & BREACH OF CONDITION NOTICES

Address	File No	Date of Cttee Resolution	Date Served On	Taking Effect	Date to Comply	Details
1. Land at 113 Leeds Road, Nelson	3503	Delegated 18/03/20	6/7/20	N/A	6/8/20	Breach of Condition Notice requiring the submission and approval of a scheme for the extraction, treatment and dispersal of fumes and odours. Hearing 03/11/22 – both defendants fined. Shop owner advised original quote expired. He has requested a new quote and installation date.
2. Land to the south of Pendle Bridge, Reedley	3405	Delegated 29/1/20	11/2/20	24/3/20	24/9/20	Enforcement Notice served requiring the owner to remove the caravans used for residential occupation and cease using the land for any residential purpose. Trial 27/01/22 – prosecution successful and the Defendant has been fined. Occupants still on the land. Proceeding to further prosecution.

3. Land at 21 Sefton Street, Brierfield	3542	Delegated 19/8/20	7/10/20	18/11/20	30/6/21	<p>Enforcement Notice served requiring the owner to reduce the depth of the extension to a maximum of 4 metres and remove all the materials arising from the part-demolition of the extension from the land.</p> <p>The work will commence on 1/2/2023. Should work not have commenced legal proceedings will be brought for the longstanding non-compliance.</p>
4. Land at 72 Cloverhill Road, Nelson			2/8/21 22/9/21			<p>Section 77 Notice under the Building Act 1984 served on owner to take down the defective side of the wall and build the wall back on a suitable foundation.</p> <p>27/01/22 - remediation works have begun and officer to diarise for completion.</p>
5. Land at 30 Higher Reedley Road, Brierfield, BB9 5HA	3765	Delegated 18/10/21	10/12/21	N/A	7/1/22	<p>Breach of Condition Notices served for 12 breaches including details of landscaping, method statement, drainage scheme, scheme for highway improvement works, details to adoptable standards of internal road, details of future management and maintenance of internal road, completion of estate road, site access work, scheme for surfacing and paving of car parking areas, scheme for cycle storage facilities, scheme for electrical vehicle charging points and sample of materials to be used in the external construction of the development.</p> <p>Work has been completed, awaiting submission from developer.</p>
6. Land at 90 Manchester Road, Nelson, BB9 7HD	3767	Delegated 16/11/21	10/12/21	N/A	7/1/22	<p>Breach of Condition Notices served for 4 breaches including details of design and materials, scheme for fumes and sound installation. Proceed to prosecution. First hearing 01/12/22 – the defendant was fined.</p>

						Awaiting receipt of application. If no response received, will proceed to prosecution.
7. Land at 125 Scotland Road, Nelson, BB9 7XR	3786	Delegated	08.02.22	11/03/22	11/6/22	Enforcement Notice served for the unauthorised development of a terrace on the roof of a single storey extension along with a timber structure with a polycarbonate roof erected above and attached to the rear elevation. Appeal lost and Notice upheld. Hearing listed for January.
8. Land at Nelson Tyre Centre, former Ambulance Station, Rakes House Road, Nelson BB9 0AP	3791	Delegated	7/2/22	N/A	9/3/22	Breach of Condition Notice served for breaches relating to permitted operating timescales Monday – Friday 08:00 hrs to 18:00 hrs Saturday 09:00 hrs – 13:00 hrs and no operational activity at any time on Sundays and Bank Holidays.
	3828	Delegated	16/5/22	N/A	15/6/22 &29/6/22	Breach of Condition Notice served relating to mitigation measures proposed in Noise Assessment TW0207219NR.REV5. Noise abatement materials now permitted – allowing time for installation. Sound proofing ordered. Expected lead time is 12 to 14 weeks. Expected installation date March/April 2023.
9. Land at Barden Lane Stables, Barden Lane, Brierfield	3789	Delegated	9/3/22	N/A	11/4/22	Breach of Condition Notice served requiring the submission of a full landscaping scheme for the site, a full scheme for the site highway works, the surfacing of the access to the site and provision of drainage for the access.

10. Land at 1 Place De Creil, Nelson	3852	Delegated	16/6/22	N/A	15/7/22	Breach of Condition Notice served requiring the submission of details for approval for the hours of opening; details of the extraction system to deal with the treatment and dispersal of particles, fumes and odours and the scheme for the collection, storage and disposal of waste and recycling. Matter referred to Legal to prosecute for non-compliance.	
11. Land at 7 Limefield Avenue, Brierfield	3946		17/11/22	30/11/22	04/01/23	04/03/22	Enforcement Notice served for the change of use of land from residential to a mixed use of residential and the storage of motor vehicles, car parts, transporters and a caravan.
12. Land at Springbank Buildings 226-248 Every Street, Nelson	3947		17/11/22	07/01/22	10/01/23	10/04/23	Enforcement Notice served requiring the removal of a canopy, roller shutters and back housing and to make good any damage caused to the building as a result of compliance with the notice.