

North West & West Midlands Area Office

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Area Director
Keith Jones

Development Team
Bury Council
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Date: 28 July 2022

Ref: 66674

Dear Mr Beirne,

Planning Application **for former nursery building and land to rear of Earl Street, Prestwich, Manchester, M25 1GQ**

Further to my letter of the 16 June 2022: -

The site is subject to a Restocking Notice, a copy of which was provided to the local authority by post on the 18th September 2019.

Planning permission granted by the local planning authority for the same area as a Restocking or Enforcement Notice does not remove the duties contained within that Notice. i.e., while planning permission may make the development of the site lawful, it does not make non-compliance with the Notice lawful. However, this does not prevent the local planning authority from granting planning permission if it is so minded.

The NW & WM Area team have access to the RN, and I have attached a copy for ease. As such you'll be aware of the 10-year maintenance requirement imposed by the RN. The Forestry Commission will routinely inspect the site through the 10-year maintenance. Failure to comply with the RN during this period may result in the FC serving a section 24 Enforcement Notice. This provides a further 15 months to restock the land with trees. Failure to comply with an Enforcement Notice may constitute an offence under section 24(4) of the Forestry Act 1967,

involving a summary conviction and an unlimited fine. Such a prosecution may then also allow for the Proceeds of Crime Act to be applied in relation to any financial gain made on the land in question as a result of the illegal activity

Yours sincerely



Graham Simms
Area Admin Officer