

## **APPEAL DECISIONS, CURRENT PLANNING APPEALS AND ENFORCEMENTS**

### **Report of the Deputy Chief Executive**

#### **1. MATTER FOR CONSIDERATION**

- 1.1 This report summarises recent appeal decisions, lists current planning appeals and dates for local inquiries and informal hearings, progress upon authorised enforcement action set out by area committee.

#### **2. INFORMATION**

- 2.1 The appeal decisions, details of current appeals and current enforcement action for each committee area are appended.

#### **3. RECOMMENDATION**

- 3.1 That the report be noted.

#### **BACKGROUND PAPERS**

There are no background papers.

Anyone with enquiries relating to planning appeals should telephone the named officer relating to the relevant appeal

Anyone with enquiries relating to enforcement activity should contact Dave Westhead on 0161 474 3520

# AGENDA ITEM

# PLANNING APPEALS

## AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	17 August 2018
Appeal Procedure	Written Representations
Location	Ground floor 22c Station Road Cheadle Hulme
Proposal	Appeal against the refusal to vary condition 3 of planning permission DC042293 and condition 3 of planning permission DC065493 to allow the opening of the premises between the hours of 10am to midnight Sunday to Thursday and Bank Holidays and 10am to 1am to Friday and Saturday.
Case Officer	Jane Chase
Appeal Decision	Allowed
Appeal date	15 October 2018
Appeal Procedure	Written Representations
Location	42A Gillbent Road, Cheadle Hulme
Proposal	Appeal against the refusal of planning permission for the erection of a first floor extension to create a 2 bedroom dwelling above the existing class A1 shop
Case Officer	Jane Chase
Appeal Decision	Pending

Appeal date	16 July 2018
Appeal Procedure	Inquiry
Location	Seashell Trust, Stanley Road, Cheadle Hulme
Proposal	Refusal of planning permission for detailed Application for the erection of a new school (Use Class D1) with associated kitchen and dining facilities, swimming and hydrotherapy facilities (Use Class D2), infrastructure, drop-off parking, access, landscaping and ancillary works. Outline Application (all matters reserved except access) for the demolition of the Chadderton building, Orchard/Wainwright/Hydrotherapy/Care block, Dockray building, part of existing college, 1 Scout Hut and 1 garage block, and erection of new campus facilities (Use Class D1/D2 - Reception, Family Assessment Units, Family Support Services, Administration/Training/Storage Facility, Sports Hall and Pavilion) with associated infrastructure, parking, landscaping and ancillary works. Outline Application (all matters reserved) for the erection of up to 325 dwellings (Use Class C3) in northern fields with associated infrastructure, parking, access, landscaping and ancillary works
Case Officer	Daniel Hewitt
Appeal Decision	Pending

#### **AREA COMMITTEE: CENTRAL STOCKPORT**

Appeal date	21 November 2018
Appeal Procedure	Written Representations
Location	2 The Grove, Shaw Heath
Proposal	Appeal against the refusal of planning permission for the conversion of existing 3 bed/2reception single dwelling into 8 occupant house of multiple occupation
Case Officer	Pippa Brown
Appeal Decision	Pending

## **AREA COMMITTEE: CHEADLE**

Appeal date	19 November 2018
Appeal Procedure	Written Representations
Location	3 Manston Drive, Cheadle Hulme
Proposal	Appeal against the refusal of planning permission for the erection of a two storey extension to a detached dwelling
Case Officer	Anthony Smith
Appeal Decision	Pending

## **AREA COMMITTEE: HEATONS AND REDDISH**

Appeal Procedure	Written Representations
Location	17 Shaw Road, Heaton Moor
Proposal	Appeal against the refusal to vary a condition of planning permission to extend opening hours
Case Officer	Mark Burgess
Appeal Decision	Dismissed

Appeal date	31 July 2018
Appeal Procedure	Written Representations
Location	7 Tatton Road South, Heaton Moor
Proposal	Appeal against the refusal of planning permission for the construction of 3 independent single storey retail kiosks

Case Officer Mark Burgess

Appeal Decision Pending

Appeal date 11 December 2018

Appeal Procedure Written Representations

Location 10 Brownsville Road, Heaton Moor

Proposal Appeal against the refusal of planning permission for the creation of a driveway and widening of gateposts

Case Officer James Appleton

Appeal Decision Pending

Appeal date 21 December 2018

Appeal Procedure Written Representations

Location 2 Sibley Road, Heaton Moor

Proposal Appeal against the refusal of planning permission to raise the existing ridge height by 2.6m to form a hipped roof

Case Officer James Appleton

Appeal Decision Pending

## AREA COMMITTEE: MARPLE

Appeal date	21 November 2018
Appeal Procedure	Written Representations
Location	170 Longhurst Lane, Mellor
Proposal	Appeal against the refusal of planning permission for the demolition of existing detached house and the construction of 2 detached houses.
Case Officer	Dominic Harvey
Appeal Decision	Pending

Appeal date	30 July 2018
Appeal Procedure	Written Representations
Location	4 Winnington Road, Marple
Proposal	Appeal against the refusal of planning permission for a rear balcony
Case Officer	Rachel Bottomley
Appeal Decision	Dismissed

Appeal date	31 August 2018
Appeal Procedure	Written Representations
Location	65 Longhurst Lane, Marple Bridge
Proposal	Appeal against the refusal of planning permission for demolition of existing garage and erection of detached bungalow and garage, and erection of detached double garage to host dwelling

Case Officer	Dominic Harvey
Appeal Decision	Pending

**AREA COMMITTEE: STEPPING HILL  
NONE CURRENT**

**AREA COMMITTEE: WERNETH**

Appeal date	21 November 2018
Appeal Procedure	Written Representations
Location	Land at & off Werneth Low Road, Romiley
Proposal	Appeal against the refusal of planning permission for the erection of a single storey de-mountable structure for animal husbandry
Case Officer	Mark Burgess
Appeal Decision	Pending

## ENFORCEMENT APPEALS

**AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH**

**None Current**

**AREA COMMITTEE: CENTRAL**

**None Current**

**AREA COMMITTEE: CHEADLE**

**None Current**

**AREA COMMITTEE: HEATONS & REDDISH**

**None Current**

**AREA COMMITTEE: MARPLE**

Appeal Date	22 August 2017
Appeal Procedure	Public Inquiry
Location	The Garden House, Lakes Road Marple
Proposal	Without the benefit of planning permission, the material change in the use of land to a visitor attraction including the formation of hard surfaced areas; provision of wooden buildings for uses in connection with the visitor attraction including (but not limited to) toilet facilities, café, stables, community rooms, animal housing & storage; shipping containers; goods vehicle bodies, play equipment and a mobile home.



Case Officer

Dave Westhead

Appeal Decision

Following the refusal of the retrospective planning application on the above site the Council has fully considered its options and as a result it will be withdrawing the current enforcement notice and serving a new notice which address all breaches of planning control, including further breaches which have occurred since the service of the notice.

UPDATE New enforcement notice served on 31<sup>st</sup> October 2018 appeal submitted awaiting start letter from PINs likely to be dealt with by public inquiry.

**AREA COMMITTEE:STEPPING HILL**

**NONE CURRENT**

**AREA COMMITTEE:WERNETH**

**NONE CURRENT**

## **ENFORCEMENT NOTICES**

### **AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	67 Earle Road, Bramhall
<b>Description</b>	Unauthorised 2nd floor rear extension
<b>Case Officer</b>	Amanda Hopkins
<b>Notice Served Date</b>	10 <sup>th</sup> July 2018
<b>Compliance Date</b>	28 <sup>th</sup> February 2019

### **AREA COMMITTEE: CENTRAL STOCKPORT**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	287 Wellington Road South, Heaviley
<b>Description</b>	Untidy Land
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	19 <sup>th</sup> December 2016
<b>Compliance Date</b>	Further action pending.

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	17 Berlin Road, Edgeley
<b>Description</b>	Untidy Land
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	1 November 2018
<b>Compliance Date</b>	28 <sup>th</sup> February 2019

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land adjacent to 2 Bird Hall Road, Cheadle Hulme
<b>Description</b>	Material change in the use of the land from open space to a use for the parking of a motor vehicle in connection with 2 Bird Hall Road including the formation of a hard surfaced area and the erection of fencing.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	17 <sup>th</sup> October 2018
<b>Compliance Date</b>	Cease the use of the land for parking by 17 <sup>th</sup> December 2018, remove fencing and hardstanding by 17 <sup>th</sup> February 2019. Appeal submitted awaiting start letter from PINs

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land at 43, 45, & 47 Middle Hillgate, Stockport SK1 3DG
<b>Description</b>	Without the benefit of planning permission, the removal of wooden window frames to the first and second floor front elevation of a locally listed building within a Conservation Area and the replacement of them with u-PVC frames.

<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	20 <sup>th</sup> August 2018
<b>Compliance Date</b>	20 <sup>th</sup> May 2019 The Enforcement Notice is now varied to extend the compliance period to: <ul style="list-style-type: none"><li>(i) 12 months from the 31 October 2018 to fit windows in full compliance with steps 1 to 6 to the first floor elevation to Middle Hillgate.</li><li>(ii) 18 months from 31 October to fit windows to the 2<sup>nd</sup> floor elevation to Middle Hillgate.</li></ul>

**AREA COMMITTEE: CHEADLE  
NONE CURRENT**

**AREA COMMITTEE: HEATONS & REDDISH**

<b>Action</b>	Section 215 Notice Untidy Land
<b>Location</b>	166 Thornley Lane South, North Reddish
<b>Description</b>	Land adversely affecting visual amenity
<b>Case Officer</b>	Amanda Hopkins
<b>Notice Served Date</b>	17 <sup>th</sup> April 2018
<b>Compliance Date</b>	3rd August 2018 not complied with, awaiting quotes for direct action.

## **AREA COMMITTEE: MARPLE**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land at Lakes Road, Marple (The Garden House),
<b>Description</b>	Without the benefit of planning permission, the material change in the use of land to a visitor attraction including the formation of hard surfaced areas; provision of wooden buildings for uses in connection with the visitor attraction including (but not limited to) toilet facilities, café, stables, community rooms, animal housing & storage; shipping containers; goods vehicle bodies, play equipment and a mobile home.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	13 <sup>th</sup> June 2017
<b>Compliance Date</b>	<p>Following the refusal of the retrospective planning application on the above site the Council has fully considered its options and as a result it will be withdrawing the current enforcement notice and serving a new notice which address all breaches of planning control, including further breaches which have occurred since the service of the notice.</p> <p>UPDATE New notice served 31/10/18 requiring compliance of the following steps:-</p> <ol style="list-style-type: none"><li>1.Cease the use of the land as a visitor attraction/urban farm and educational facility.</li><li>2. Dismantle and remove from the land all buildings, except for the remains of the Garden House.</li><li>3. Remove all hard surfaces constructed to support or be used as floors for the buildings from the land</li><li>4. Remove from the land all shipping containers and goods vehicle bodies</li><li>5. Remove the building consisting of a wooden clad mobile home from the land including all decking steps and other external ancillary structures used to facilitate the use of it.</li><li>6. Remove all play equipment and the zip wire from the land</li><li>7. Remove all pipework, wiring or other equipment used to supply water to the buildings on the land, remove waste or foul water from the buildings or supply gas or electricity to the buildings from the land</li><li>8. Remove from the land all storage tanks used to store fresh or foul water including all ancillary structures used to support or contain the tanks.</li><li>9. Remove from the land all tanks used to store fuel oil or other liquids including all ancillary structures used to support or contain the tanks.</li></ol>

10. Remove from the land all gas bottles
  11. Remove from the land (both the upper and lower levels) and dispose of at a licenced waste disposal site all materials including (but not limited) to cold planings used to create hard surface areas.
  12. Break up the soil in the areas where the materials used to form the hard surface have been removed from and seed with a meadow grass mixture
  13. Remove all advertisements relating to the Garden House and/or its use as a visitor attraction.
6. TIME FOR COMPLIANCE:  
Steps 1 & 13 31st December 2018. Steps 2 to 12 31st May 2019. Appeal submitted awaiting start letter from PINs

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	43 Printers Drive, Strines
<b>Description</b>	Without the benefit of planning permission, the construction of a 2 <sup>nd</sup> floor extension to the rear of the dwellinghouse.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	14 <sup>th</sup> June 2017
<b>Compliance Date</b>	13 January 2019
<b>Action</b>	Enforcement Notice served
<b>Location</b>	Land at Whitebottom Farm, Compstall, Stockport
<b>Description</b>	Without the benefit of planning permission the construction of wooden buildings to provide shower/toilet facilities at Whitebottom Farm in connection with festivals and events held at the farm.
<b>Case Officer</b>	Dave Westhead

<b>Notice Served Date</b>	14 March 2017
<b>Compliance Date</b>	Complied with
<b>Action</b>	Enforcement Notice Served
<b>Location</b>	144 Stockport Road, Marple
<b>Description</b>	Without the benefit of planning permission the construction of a hard surfaced area to the front of 144 Stockport Road, Marple, Stockport to facilitate a vehicle access/parking area from a classified road.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	20 June 2018
<b>Compliance Date</b>	Initially 22 October 2018 however following committal of developer to prison for 9 months following conviction for benefit fraud period to be extended to allow 2 months after relief.

#### **AREA COMMITTEE: STEPPING HILL**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	27 Bakewell Road, Hazel Grove
<b>Description</b>	Untidy Land
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	12 October 2018
<b>Compliance Date</b>	12 January 2019

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Land at Raisbeck Road, Offerton (Former Dialstone Centre)
<b>Description</b>	Formation of a raised mound as part of public open space in development
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	8 <sup>th</sup> March 2018
<b>Compliance Date</b>	11 <sup>th</sup> April 2019 following dismissal of appeal.

<b>Action</b>	S215 Untidy Land Notice
<b>Location</b>	Land to the rear of 326 Buxton Road, Great Moor, Stockport
<b>Description</b>	Untidy Land
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	17 <sup>th</sup> October 2017
<b>Compliance Date</b>	21 <sup>st</sup> January 2019



## **AREA COMMITTEE: WERNETH**

<b>Action</b>	S215 Untidy Land Notice
<b>Location</b>	10 Bunkers Hill, Romiley
<b>Description</b>	Untidy Land
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	2 <sup>nd</sup> October 2017
<b>Compliance Date</b>	Work has been carried out to deal with the harm to amenity, not expedient to take further action at this time.

<b>Action</b>	Notice Served
<b>Location</b>	173 Stockport Road West Bredbury
<b>Description</b>	Failure to comply with condition 7 of planning permission DC/050675 by failing to install a dropped kerb vehicular footway crossing and 1.0m by 1.0m pedestrian visibility splays at either side of the access as approved by drawing number SK62AP/173/08 approved by discharge of conditions application DC/052385.

<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	16 <sup>th</sup> August 2018
<b>Compliance Date</b>	17 <sup>th</sup> September 2018. – complied with.

<b>Action</b>	S215 Untidy Land Notice
<b>Location</b>	15 Marlowe Walks, Bredbury
<b>Description</b>	Untidy Land
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	16 April 2018
<b>Compliance Date</b>	16 July 2018 Not complied with - Quote for direct action obtained and liaising with Social Care on support to assist the owner/occupier.

<b>Action</b>	Enforcement and Stop Notice
<b>Location</b>	12 Marlowe Walks, Bredbury
<b>Description</b>	Unauthorised rear extension
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	25th September 2018
<b>Compliance Date</b>	Demolition required by the 25th November 2018. Stop Notice requires no further work to be carried out on the extension after the 28th September 2018 - Complied with

<b>Action</b>	Enforcement Notice served
<b>Location</b>	Further Hey, Werneth Road, Woodley, Stockport
<b>Description</b>	Enforcement notice served to remove wooden fence from front of property.

<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	16 <sup>th</sup> April 2018
<b>Compliance Date</b>	14 <sup>th</sup> January 2019 following dismissal of appeal.
<b>Action</b>	Enforcement Notice served
<b>Location</b>	Land at Hillside Farm, Werneth Low Road, Romiley
<b>Description</b>	Enforcement notice to demolish unauthorised building in the green belt
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	16 <sup>th</sup> April 2018
<b>Compliance Date</b>	11 <sup>th</sup> February 2019 following dismissal of appeal
<b>Action</b>	Prosecution for felling 36 trees subject of a Tree Preservation Order
<b>Location</b>	Land adjacent to Unity Mills, Poleacre Lane, Woodley
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	Prosecution authorised 28th June 2018 first court date 17th January 2019