

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 Vicki Bates on 474 3138

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 | 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 | Dismissed |
| | |
| 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 |

| | |
|------------------|---|
| Appeal date | 25 January 2019 |
| Appeal Procedure | Written Representations |
| Location | 6 Kings Close, Bramhall |
| Proposal | Refusal of planning permission for the demolition of existing building and the construction of 4 dwellings & 1 detached garage accessed via shared private driveway with associated landscaping & external works. |
| Case Officer | Jane Chase |
| Appeal Decision | Pending |

| | |
|------------------|--|
| Appeal date | 28 January 2019 |
| Appeal Procedure | Written Representations |
| Location | Land at Grasmere Crescent, Bramhall |
| Proposal | Refusal of planning permission for the erection of a detached dwelling |
| Case Officer | Jane Chase |
| 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 NONE CURRENT

AREA COMMITTEE: HEATONS AND REDDISH

| | |
|------------------|---|
| 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 | Dismissed |
| 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 |
| Appeal date | 29 January 2019 |
| Appeal Procedure | Written Representations |
| Location | Land to the rear of former Chapel House public house, Wellington Road North |
| Proposal | Appeal against the refusal of planning permission for the erection of 10 dwellings |
| Case Officer | Mark Burgess |
| 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 |

AREA COMMITTEE: STEPPING HILL

| | |
|------------------|--|
| Appeal date | 29 January 2019 |
| Appeal Procedure | Written Representations |
| Location | Mount Pleasant, Kings Road, Hazel Grove |
| Proposal | Appeal for Non Determination, demolition of existing house and construction of 6 , 4 bedroom detached Houses |
| Case Officer | Daniel Hewitt |
| Appeal Decision | Pending |

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

AREA COMMITTEE:STEPPING HILL

NONE CURRENT

AREA COMMITTEE:WERNETH

NONE CURRENT

ENFORCEMENT NOTICES

AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

| | |
|---------------------------|---|
| Action | Enforcement Notice Served |
| Location | 67 Earle Road, Bramhall |
| Description | Unauthorised 2nd floor rear extension |
| Case Officer | Amanda Hopkins |
| Notice Served Date | 10 th July 2018 |
| Compliance Date | 28 th February 2019. Following dismissal of a planning appeal concerning the same property, compliance date now 30/4/19. |

| | |
|---------------------------|--|
| Action | Enforcement Notice Served |
| Location | 21 Ogden Road, Bramhall |
| Description | Unauthorised replacement of timber framed windows with white uPVC windows to the front elevation |
| Case Officer | Amanda Hopkins |
| Notice Served Date | 04/01/19 |
| Compliance Date | 04/02/20 |

AREA COMMITTEE: CENTRAL STOCKPORT

Action Enforcement Notice Served
Location 287 Wellington Road South, Heaviley
Description Untidy Land
Case Officer Dave Westhead
Notice Served Date 19th December 2016

Compliance Date Further action pending.

Action Enforcement Notice Served
Location 17 Berlin Road, Edgeley
Description Untidy Land
Case Officer Dave Westhead
Notice Served Date 1 November 2018

Compliance Date 28th February 2019

Action Enforcement Notice Served
Location Land adjacent to 2 Bird Hall Road, Cheadle Hulme
Description 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.
Case Officer Dave Westhead
Notice Served Date 17th October 2018

Compliance Date Cease the use of the land for parking by 17th December 2018, remove fencing and hardstanding by 17th February 2019. Appeal submitted awaiting start letter from PINs

| | |
|---------------------------|--|
| Action | Enforcement Notice Served |
| Location | Land at 43, 45, & 47 Middle Hillgate, Stockport SK1 3DG |
| Description | 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. |
| Case Officer | Dave Westhead |
| Notice Served Date | 20 th August 2018 |
| Compliance Date | 20 th May 2019 The Enforcement Notice is now varied to extend the compliance period to: <ul style="list-style-type: none">(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.(ii) 18 months from 31 October to fit windows to the 2nd floor elevation to Middle Hillgate. |

| | |
|---------------------------|---|
| Action | S215 Notice Served |
| Location | 122 Stockport Road, Edgeley |
| Description | Land adversely affecting visual amenity |
| Case Officer | Dave Westhead |
| Notice Served Date | 22 January 2019 |
| Compliance Date | 24 th April 2019 |

| | |
|---------------------------|--|
| Action | Enforcement notice |
| Location | 214 Bramhall Lane, Davenport |
| Description | Removal of wooden bay windows from 1 st floor of property in a Conservation Area and replacement with u-PVC windows |
| Case Officer | Dave Westhead |
| Notice Served Date | 1/2/19 |
| Compliance Date | 1/6/19 |

| | |
|---------------------------|--|
| Action | Enforcement Notice Served |
| Location | 223 Stockport Road, Cheadle Heath |
| Description | Unauthorised construction of a rear extension to extend restaurant use |
| Case Officer | Dave Westhead |
| Notice Served Date | 03/01/19 |
| Compliance Date | 03/05/19 |

| | |
|---------------------------|--|
| Action | Section 215 Notice (Untidy Land) |
| Location | 128 Dialstone Lane, Offerton |
| Description | Empty shop premises detrimental to amenity |
| Case Officer | Dave Westhead |
| Notice Served Date | 22/1/19 |
| Compliance Date | 22/5/19 |

AREA COMMITTEE: CHEADLE
NONE CURRENT

AREA COMMITTEE: HEATONS & REDDISH

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

| | |
|---------------------------|---|
| Action | Enforcement Notice |
| Location | 7 Peel Moat Road, Heaton Mersey |
| Description | Unauthorised gates in a Conservation Area |
| Case Officer | Amanda Hopkins |
| Notice Served Date | 29/1/19 |
| Compliance Date | 28/4/19 |

AREA COMMITTEE: MARPLE

| | |
|---------------------------|--|
| Action | Enforcement Notice Served |
| Location | Land at Lakes Road, Marple (The Garden House), |
| Description | 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 |
| Notice Served Date | 13 th June 2017 |
| Compliance Date | <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">1.Cease the use of the land as a visitor attraction/urban farm and educational facility.2. Dismantle and remove from the land all buildings, except for the remains of the Garden House.3. Remove all hard surfaces constructed to support or be used as floors for the buildings from the land4. Remove from the land all shipping containers and goods vehicle bodies5. 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.6. Remove all play equipment and the zip wire from the land7. 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

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.
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.
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

Action

Enforcement Notice Served

Location

43 Printers Drive, Strines

Description

Without the benefit of planning permission, the construction of a 2nd floor extension to the rear of the dwellinghouse.

Case Officer

Dave Westhead

Notice Served Date

14th June 2017

Compliance Date

13 January 2019, following discussions with agent and owner compliance period extended to 28/2/19.

| | |
|---------------------------|--|
| Action | Enforcement Notice Served |
| Location | 144 Stockport Road, Marple |
| Description | 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. |
| Case Officer | Dave Westhead |
| Notice Served Date | 20 June 2018 |
| Compliance Date | 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 release. Letter giving 2 months sent on 4/2/19 compliance is therefore 4/4/19. |

AREA COMMITTEE: STEPPING HILL

| | |
|---------------------------|-------------------------------|
| Action | Enforcement Notice Served |
| Location | 27 Bakewell Road, Hazel Grove |
| Description | Untidy Land |
| Case Officer | Dave Westhead |
| Notice Served Date | 12 October 2018 |
| Compliance Date | 12 February 2019 |

| | |
|---------------------------|---|
| Action | Enforcement Notice Served |
| Location | Land at Raisbeck Road, Offerton (Former Dialstone Centre) |
| Description | Formation of a raised mound as part of public open space in development |
| Case Officer | Dave Westhead |
| Notice Served Date | 8 th March 2018 |

| | |
|---------------------------|--|
| Action | S215 Untidy Land Notice |
| Location | Land to the rear of 326 Buxton Road, Great Moor, Stockport |
| Description | Untidy Land |
| Case Officer | Dave Westhead |
| Notice Served Date | 17 th October 2017 |
| Compliance Date | 12 th February 2019 |

AREA COMMITTEE: WERNETH

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

| | |
|---------------------------|--|
| Action | Enforcement Notice served |
| Location | Further Hey, Werneth Road, Woodley, Stockport |
| Description | Enforcement notice served to remove wooden fence from front of property. |
| Case Officer | Dave Westhead |
| Notice Served Date | 16 th April 2018 |
| Compliance Date | Complied. |

| | |
|---------------------------|--|
| Action | Enforcement Notice served |
| Location | Land at Hillside Farm, Werneth Low Road, Romiley |
| Description | Enforcement notice to demolish unauthorised building in the green belt |
| Case Officer | Dave Westhead |
| Notice Served Date | 16 th April 2018 |
| Compliance Date | 11 th February 2019 following dismissal of appeal |

| | |
|---------------------------|--|
| Action | Prosecution for felling 36 trees subject of a Tree Preservation Order |
| Location | Land adjacent to Unity Mills, Poleacre Lane, Woodley |
| Case Officer | Dave Westhead |
| Notice Served Date | 17 th January 2019, guilty plea entered fined £2000 + costs of £1100. |

