

## **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

## CENTRAL STOCKPORT AREA COMMITTEE

### PLANNING APPEALS

Appeal date	21 October 2019
Appeal Procedure	Written Representations
Location	250 Wellington Road South
Proposal	Appeal against the refusal of planning permission for the change of use from Class B1 (a) Offices with prior approval for form 7 flats (implementation of prior approval DC/062964) to form 22 bedroomed HMO.
Case Officer	Andrew Cotton
Appeal Decision	Dismissed

Appeal Date	27 May 2020
Appeal Procedure	Written Representations
Location	250 Wellington Road South
Proposal	Appeal against conditions for the conversion of B1(a) office to form 7 dwellings
Case Officer	Daniel Hewitt
Appeal Decision	Pending

Appeal date  
Appeal Procedure Written Representations  
Location 17 Frewland Avenue, Davenport  
Proposal Appeal against the refusal of planning permission for the lowering of a chimney stack and the reinstatement of the existing roof together with repairs to the front wall and the addition of coping stones metal railings and gates.  
Case Officer Anthony Smith  
Appeal Decision The appeal is dismissed insofar as it relates to the removal of the chimney stack and reinstatement of the existing roof. The appeal is allowed insofar as it relates to repairs and alterations to the front boundary wall and the installation of metal railings and gates, and planning permission is granted for repairs and alterations to the front boundary wall and the installation of metal railings and gates

Appeal date 28 November 2019  
Appeal Procedure Informal Hearing on 4 February 2020  
Location Land adj to Mentor House, Chestergate  
Proposal Appeal against the refusal of planning permission for the erection of B1 light industrial/B8 storage & distribution warehouse units and associated means of access, parking, servicing and landscaping.  
Case Officer Mark Jordan  
Appeal Decision Decision after the hearing is pending

Appeal date	12 December 2019
Appeal Procedure	Written Representations
Location	Go Outdoors, Stockport Road, Cheadle Heath
Proposal	Appeal against the refusal of planning permission for the installation of anti-vandal spin guards to existing paladin fencing
Case Officer	Mark Jordan
Appeal Decision	Dismissed

Appeal date 24 January 2020  
Appeal Procedure Written Representations  
Location Streetworks, Hillcrest Road, Offerton  
Proposal Appeal against refusal of planning permission for the installation of a replacement 20m monopole accommodating 12 antenna in an open headframe together with the upgrade of the equipment cabinets and ancillary development  
Case Officer Chris Smyton  
Appeal Decision Dismissed

Appeal date 27 February 2020  
Appeal Procedure Written Representations  
Location Land at the junction of Adswood Road & Barnfield Road West  
Proposal Appeal against refusal of planning permission for the installation of a replacement 20m monopole accommodating 12 antenna in an open headframe together with the upgrade of the equipment cabinets and ancillary development  
Case Officer Dan Hewitt  
Appeal Decision Dismissed

Appeal date	4 June 2020
Appeal Procedure	Written Representations
Location	2 Grendale Avenue, Offerton
Proposal	Appeal against refusal of planning permission for the erection of a new-build 2 storey 3 bedroom dwelling
Case Officer	Anthony Smith
Appeal Decision	Pending

## **ENFORCEMENT APPEALS**

Appeal Date	14th October 2019
Appeal Procedure	Written Representations
Location	36 The Crescent, Davenport, Stockport SK3 8SN
Proposal	Unauthorised gates within a Conservation Area
Case Officer	Amanda Hopkins

### Decision

1. It is directed that the enforcement notice be corrected by deleting the last sentence of paragraph 3 and inserting at the start of paragraph 4 the following text: "This conservation area is subject to an Article 4(2) Direction, removing permitted development rights from external elevations, the surrounding curtilage and boundaries that front a 'relevant location' (defined as a highway, waterway, or open space in Article 3 of the Town and Country Planning (General Permitted Development) Order, 1995)."

2. Appeal A is allowed insofar as it relates to the gateposts and planning permission is granted on the application deemed to have been made under section 177 (5) of the 1990 Act as amended, for the installation of gateposts at the Land at 36 The Crescent, Stockport SK3 8SN. Appeal Decision APP/C4235/C/19/3239034 & APP/C/4235/C/19/3239035

<https://www.gov.uk/planning-inspectorate> 2

3. Subject to the correction in paragraph 1 above, the Appeals are dismissed insofar as they relate to the installation of gates and the enforcement notice is upheld. In Appeal A planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended in respect of the installation of gates at Land at 36 The Crescent, Stockport SK3 8SN.

## **ENFORCEMENT NOTICES**

<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.

Checks with the Land Registry reveal that a new registration (ownership) is pending. Land Registry can take up to 3 months to make changes. A follow up Land Registry search will be made and then the Council will work with new owner to resolve issues with this building. Action to deal with site is ongoing.



<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:  (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 2 <sup>nd</sup> floor elevation to Middle Hillgate.

Notice not complied with, prosecution file being produced but windows to first floor now replaced in accordance with Notice. Given current covid restrictions site visit to be carried out and if 2<sup>nd</sup> floor windows not fitted an extension of time to comply will be allowed.

**Action** Enforcement Notice Served  
**Location** Mac Court, St. Thomas Place, Stockport  
**Description** Enforcement notice to build gable wall in compliance with approved plans  
**Case Officer** Dave Westhead  
**Notice Served Date** 2/5/17  
**Compliance Date** Notice not complied with and after considering all options Council has prosecuted for a failure to comply with notice. First court date 21/5/19. Not guilty plea entered adjourned to 11/2/2020 for trial. New date following defence request for adjournment. Awaiting court date following covid restrictions on trials.

**Action** Enforcement Notice Served  
**Location** 36 The Crescent, Davenport  
**Description** Without the benefit of planning permission, the installation of gates and posts (over 1 metre in height) adjacent to a highway and within the Egerton Road / Frewland Avenue Conservation Area  
**Case Officer** Amanda Hopkins  
**Notice Served Date** 13/08/19 effective from 13/10/19  
**Compliance Date** Appealed. appeal dismissed, compliance by 1/10/2020