

## **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

## HEATONS AND REDDISH AREA COMMITTEE

### PLANNING APPEALS

Appeal date	11 October 2019
Appeal Procedure	Written Representations
Location	Elsa Waste Paper Ltd, Units 1-3 Station Road Reddish
Proposal	Appeal against the refusal to vary conditions to allow an extension of operational hours from 0700-1830 Mon-Fri to 0700-2000 Mon-Fri and 0700-1600 Sat
Case Officer	Mark Jordan

Appeal Decision      The premises shall not be opened for business and no processing carried out; no vehicles or machinery shall be operated within the site, or any waste material brought into the site; except between the hours of 7:00am until 18:30pm Mondays to Fridays inclusive; and 7:00am until 13:30pm on Saturdays there should be no working on Sundays or Bank Holidays.

The appeal was allowed and condition no.2 was subsequently amended to the following:

The premises shall not open for business and no processing be carried out; or machinery operated within the site; except between the hours of 0700 hours until 2000 hours Mondays to Fridays inclusive; and 0700 hours until 1330 hours on Saturdays. There shall be no working on Sundays, Bank or Public Holidays.

The amended condition removed the restriction on vehicles and extended the midweek operational hours to 8pm (rather than 18.30pm as originally proposed by the Council). PINS imposed further conditions (18 in total) generally in favour of the Council, including:

**Condition 3 – vehicle restriction:** No vehicles shall be operated within the site except between the hours of 0700 hours until 1830 hours Mondays to Fridays inclusive; and 0700 hours until 1330 hours on Saturdays. During operational hours 1830 until 2000 hours Monday to Friday and 0700 hours until 1600 hours on Saturdays no forklift trucks shall be used externally.

**Condition 4 – extended operational hours restrictions:** During operational hours 1830 to 2000 hours Monday to Friday and 0700 hours until 1600 hours on Saturdays all doors and openings including the conveyor opening at the side elevation, will remain closed except for access and egress.

**Condition 5 – restriction on extended hours until noise mitigation scheme has been implemented:** Until the approved noise mitigation scheme as set out in the Noise Assessment Report Ref. 226STOCKPORT has been fully implemented, there shall be no working outside 0700 until 1830 hours Monday to Friday. Upon implementation of the approved noise mitigation scheme specified in this condition, that scheme shall thereafter be retained.

Appeal date	15 January 2020
Appeal Procedure	Written Representations
Location	Streetworks, Gorton Road, North Reddish, Stockport,SK5 6RS
Proposal	Appeal against the refusal of planning permission for the installation of a replacement 20m monopole accommodating 12 no. antennas in an open head frame together with the upgrade of the equipment cabinets and ancillary development thereto.
Case Officer	Mark Burgess
Appeal Decision	Dismissed

Appeal date	7 February 2020
Appeal Procedure	Written Representations
Location	51 Elms Road, Heaton Moor
Proposal	Refusal of planning permission for a roof dormer to the rear of the property
Case Officer	Jeni Regan
Appeal Decision	Dismissed

Appeal date	26 February 2020
Appeal Procedure	Written Representations
Location	71 Longford Road West, North Reddish
Proposal	Granted planning permission for the erection of 2 dwellinghouses subject to conditions to which the appellant objects
Case Officer	Jeni Regan
Appeal Decision	<p>The appeal is allowed and the planning permission Ref DC/074197 for the erection of 2 no. dwellinghouses with vehicular access from Longford Road West at 71 Longford Road West, granted on 13 September 2019 by Stockport Metropolitan Borough Council, is varied by deleting condition 17 which states that: Prior to first occupation of any dwelling hereby approved, a scheme for the provision and maintenance of formal recreation and children's play space and facilities, including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full.</p>

## **ENFORCEMENT APPEALS**

Appeal Date	03 February 2020
Appeal Procedure	Written Representations
Location	12 Moorfield Grove, Heaton Moor
Proposal	Unauthorised installation of a satellite dish on the front of a property within a Conservation Area
Case Officer	Debbie Whitney
Appeal Decision	Dismissed

## **ENFORCEMENT NOTICES**

<b>Action</b>	Enforcement Notice
<b>Location</b>	604 Didsbury Road, Heaton Mersey Stockport.
<b>Description</b>	Material change of use of garage to a single dwellinghouse.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	19/5/2020
<b>Compliance Date</b>	21/2/2021

Notice served during Covid period to protect the Council and to stop the enforcement clock as breach may be approaching 4 years at which point it would become lawful. To take account of restrictions Council allowed a period of 3 months before the notice became effective rather than 1 month. This is to allow developer to obtain his own advice. Compliance period expires on 21/2/2021 to ensure that the occupier is not made homeless during current covid situation which is in keeping with Ministerial Statement and to allow for alternative accommodation to be found.

**Action** Prosecution for failure to comply with Breach of Condition Notice  
**Location** Elsa Waste Paper, Station Road, Reddish  
**Description** Prosecution is in relation to a failure to comply with a notice requiring compliance with hours of operation.  
**Case Officer** Amanda Hopkins  
**Notice Served Date** N/A  
**Compliance Date** Guilty plea entered Elsa Waste fined £2200 plus full costs. Council is monitoring compliance with the notice and if required gathering evidence for a second prosecution.

**Action** Notice Served  
**Location** 7 Peel Moat Road, Heaton Moor  
**Description** Failure to comply with conditions 2,3 & 4 of planning permission DC/068522  
**Case Officer** Debbie Whitney  
**Notice Served Date** 14/08/19  
**Compliance Date** 14/10/19 - Work to fully comply with notice under way, Council is monitoring to obtain full compliance. Notice complied with.

**Action** Enforcement Notice Served  
**Location** 12 Moorfield Grove, Heaton Moor  
**Description** Without the benefit of planning permission the erection of a satellite dish to the front of a dwellinghouse within a Conservation Area.  
**Case Officer** Debbie Whitney  
**Notice Served Date** 16/12/19  
**Compliance Date** 16/03/20. Appeal submitted. Awaiting appeal decision form PIN's

**Action** Enforcement Notice Served  
**Location** 51 Elms Road, Heaton Moor  
**Description** Notice served to remove an unauthorised rear dormer extension in a Conservation Area.  
**Case Officer** Debbie Whitney  
**Notice Served Date** 20/01/20  
**Compliance Date** 24/04/20. Appeal submitted. Appeal withdrawn, notice effective, compliance date 20/1/2021

