

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	1 December 2020
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	

Location	Land outside Aldi Store, Stockport Road Cheadle Heath
Proposal	Appeal against refusal of prior approval of permitted development rights for the installation of a 20m slimline column supporting 6 antennas, 2 transmission dishes, 1 equipment cabinet and ancillary development
Case Officer	Dan Hewitt
Appeal Decision	Pending

ENFORCEMENT APPEALS

None Current

ENFORCEMENT NOTICES

Action	Enforcement Notice Served
Location	287 Wellington Road South, Heaviley
Description	Untidy Land
Case Officer	Dave Westhead
Notice Served Date	19 th December 2016
Compliance Date	Further action pending. The owners of the land are subject to a freezing order on their accounts under the provisions of the Proceeds of Crime Act. At this time the Crown Prosecutor will not allow any funds to be released to carry out works to building. They therefore have a defence to any prosecution in that the actions of a 3 rd party are preventing compliance. Council is investigating options to deal with the condition of the building.
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. Trial date now set for 20 October 2020.

The owners of the flats in Mac Court have now via their own management company purchased the freehold of the land from the developer, the land was transferred for free to allow for them to use money that would have been used for purchase to comply with notice. Owners are in active discussions with Council to fully comply.

The prosecution was against the former owner and was done as part of requiring compliance with the enforcement notice. As he now no longer has involvement and does not own the land, following discussions with the Councils Legal Services the prosecution has been formally discontinued. A trial would have been expensive to the Council and whilst we could technically still prosecute the previous owner, he is not now in a position to comply. Meeting held between new owners (owners of flats), appointed builder, enforcement and conservation. Following this work to complete gable will commence in April 2021

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 2 April 2021.

Action	Enforcement Notice Served
Location	Go Outdoors 207 Stockport Road, Cheadle Heath
Description	Without the benefit of planning control, the installation of silver anti-vandal spin guards to an existing 2 metre high black paladin fence.
Case Officer	Debbie Whitney
Notice Served Date	18 August 2020
Compliance Date	18 January 2021 Notice not complied with Prosecution file prepared and being sent to legal. With court backlog first court date not expected before July 2021. Notice complied with.

Action	S215 Enforcement Notice Served
Location	15 Willdor Grove, Edgeley
Description	Land detrimental to the amenity of the area.
Case Officer	Amanda Hopkins
Notice Served Date	4 September 2020
Compliance Date	2 February 2021. Notice has been complied with.

Action	S215 Enforcement Notice Served
Location	The former Greyhound Public House, Bowden Street Edgeley
Description	Land detrimental to the amenity of the area.
Case Officer	Dave Westhead
Notice Served Date	10 December 2020
Compliance Date	10 April 2021

Action	Breach of Condition Notice Served
Location	Units 8 To 11 (inclusive), Lindsays Industrial Estate, Oakfield Road, Davenport,
Description	The failure to comply with condition 2 of planning permission DC/072964 which states:- The approved containers and refuse storage and associated approved screening shall be removed from the site and the land cleared and restored no later than 07 June 2020, in accordance with details to be first approved in writing with the local planning authority.
Case Officer	Debbie Whitney
Notice Served Date	27 January 2021
Compliance Date	27 June 2021

Action	Enforcement Notice Served
Location	314B Buxton Road, Great Moor

Description	Without the benefit of planning permission, the removal of a shop front to the ground floor front elevation
Case Officer	Dave Westhead
Notice Served Date	28 January 2021
Compliance Date	26 August 2021