

## **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 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

Appeal date 11 March 2021

Appeal Procedure Written Representations Householder Appeal

Original Determination  
Level

Nominated Councillor for  
Appeal (Overturns Only)

Location 56 Bramhall Lane, Davenport  
Proposal Appeal against refusal of planning permission for a single story rear extension.  
Case Officer Callum Coyne  
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<sup>th</sup> 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<sup>rd</sup> party are preventing compliance. Council is investigating options to deal with the condition of the building.

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	Mac Court, St. Thomas Place, Stockport
<b>Description</b>	Enforcement notice to build gable wall in compliance with approved plans
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	2/5/17
<b>Compliance Date</b>	<p>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.</p> <p>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.</p> <p>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</p>

**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