

## **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

## PLANNING APPEALS

### AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH

Appeal date	20 May 2020
Appeal Procedure	Public Inquiry
Original Determination Level	
Nominated Councillor for Appeal (overturns only)	
Location	Chesters Croft Residential Park, Spath Lane East Cheadle
Proposal	Appeal against refusal of to grant a Certificate of Lawful development for the informal recreation and amenity open space (free from caravans & operational development) associated with the caravan site.
Case Officer	Chris Smyton
Appeal Decision	<p>Pending Public Inquiry set for 3 days commencing 26 January 2021, venue to be confirmed.</p> <p>Waiting for confirmation from PINS that the appeal will be held virtually. Inquiry date commencing 23 January 2021 cancelled checking officer and counsel availability for 13, 14 &amp; 15 April 2021. Inquiry date set for 20 July 2021. Due to ongoing discussions with the LPA both appeals have been withdrawn the appellant has now obtained the relevant certificate of lawfulness applications and site licenses which resolve the issues at hand. Both parties to bear their own costs.</p>

Appeal date 11 December 2020

Appeal Procedure Virtual Hearing

Original Determination  
Level

Nominated Councillor for  
Appeal (Overturns Only)

Location

Hillbrook Grange, Ack Lane East, Bramhall

Proposal

Appeal against refusal of planning permission for the erection of retirement living accommodation with associated communal facilities, landscaping and car parking

Case Officer

Jane chase

Appeal Decision

The appeal is allowed.

Appeal date 24 March 2021

Appeal Procedure Written Representations

Original Determination  
Level

Nominated Councillor for  
Appeal (Overturns Only)

Location	Land off Church Lane, Woodford
Proposal	Appeal against refusal of planning permission for the demolition of existing buildings and the erection of two dwellings with associated works.
Case Officer	Jane chase
Appeal Decision	Pending

#### **AREA COMMITTEE: CENTRAL STOCKPORT**

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

**AREA COMMITTEE: CHEADLE**

Appeal date 18 February 2021  
Appeal Procedure Written Representations  
Original Determination Level  
Nominated Councillor for Appeal (Overturns Only)

Location Land Adjacent to 1 Ash Grove, Heald Green.

Proposal Non Determination of Planning Permission for the erection of detached dwelling with associated parking, landscaping and boundary treatment and change of use of land to residential/curtilage (unadopted).

Case Officer Rebecca Whitney

Appeal Decision Pending

**AREA COMMITTEE: HEATONS AND REDDISH**

Appeal date 9 April 2021

Appeal Procedure Householder Appeal Service – Written Representations

Original Determination Level

Nominated councillor for Appeal (Overturns Only)

Location 5 Prince Lee Gardens, Heaton Moor

Proposal

Appeal against the refusal of planning permission to replace timber window frames with uPVC frames.

Case Officer Aimee Whitehead

Appeal Decision Pending.

## AREA COMMITTEE: MARPLE

Appeal date 23 April 2020

Appeal Procedure Public Inquiry

Original Determination  
Level

Nominated councillor for  
Appeal (Overturns Only)

Location The Garden House, Lakes Road Marple

Proposal Appeal against the refusal of planning permission for the change of use of land to a mixed use consisting of an urban farm and educational facility together with the retention of associated buildings structures and parking areas (retrospective).

Case Officer Mark Jordan

Appeal Decision Pending.

Appeal is linked to enforcement appeal for the same site and will be dealt with as one appeal.

Request by both parties sent to PINS that the inquiry date should be set for no earlier than July 2021. Inquiry date set for 6 July 2021.



## AREA COMMITTEE: STEPPING HILL

Appeal date 30 November 2020

Appeal Procedure Written Representations

Original Determination  
Level

Nominated Councillor for  
Appeal (Overturns Only)

Location Land to the rear of 178-184 Lowndes Lane, Offerton

Proposal Appeal against the refusal to vary a condition requiring the provision and maintenance of formal recreation and childrens play space and facilities and a timetable for implementation and failure to give notice within the appropriate period.

Case Officer Dan Hewitt

Appeal Decision Pending

**AREA COMMITTEE: WERNETH**

Appeal Date 1 December 20020

Appeal Procedure Householder appeal

Original Determination  
Level

Nominated Councillor for  
Appeal (Overturns Only)

Location 123 Werneth Road, Woodley

Proposal Appeal against the refusal of planning permission for the erection of a rear extension and demolition of existing outbuildings (amendment to application to include timber decking to the rear of the extension)

Case Officer Rachel Bottomley

Appeal Decision Pending

Appeal Date 1 December 20020

Appeal Procedure Householder appeal

Original Determination  
Level

Nominated Councillor for  
Appeal (Overturns Only)

Location	123 Werneth Road, Woodley
Proposal	Appeal against the refusal of planning permission for the erection of green house
Case Officer	Rachel Bottomley
Appeal Decision	Pending

Appeal Date	17 March 2021
Appeal Procedure	Householder appeal
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	

Location	86A Higher Bents Lane Bredbury
Proposal	Appeal against the refusal of planning permission for the installation of electric sliding gates

Case Officer

Karyn Clarke

Appeal Decision

Pending

## **ENFORCEMENT APPEALS**

### **AREA COMMITTEE: CENTRAL**

**None Current**

### **AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH**

**None Current**

## AREA COMMITTEE :CHEADLE

Location	Breach of Planning Control at the former Standard Chemicals site at Mill Lane, Cheadle
Case Officer	Dave Westhead
Appeal Decision	<p>It transpired that Remediation of the site had not been provided which invalidated the planning permission for the development. Following protracted correspondence between the Council and the applicant, an application for an injunction was made to oblige the applicant to cease development and submit a planning application. A Court Order was obtained on 17 December 2019 requiring the applicant to submit a validated planning application by 1 July 2020. Due to the pandemic the Council granted an extension of time to 26 August 2020 and a further extension of time was then granted which will expire on 16 November 2020. Defendants have filed with the High Court to extend compliance period with injunction. Court date not yet known. Land at Mill Lane guilty plea entered by letter on 12<sup>th</sup> February, however signed by company accountant who cannot do so. Also defendant did not attend. Court cannot deal with matter on this hearing as it cannot remove right to choose venue (Magistrates or Crown Court). Adjourned to 26<sup>th</sup> April for defendant to appear and confirm venue and enter plea</p>
Appeal Date	23 September 2020
Appeal Procedure	S217 appeal
Location	108 Crossefield Road, Cheadle Hulme
Proposal	Appeal against a S215 Enforcement Notice land detrimental to the amenity of the area

Case Officer	Amanda Hopkins
Appeal Decision	Pending. Case listed for 18 February at Stockport Magistrates Court. Appeal withdrawn on date of hearing, work has been carried out to comply with the notice.
Appeal Date	29 March 2021
Appeal Procedure	Written Representations
Location	5 Mona Avenue, Heald Green
Proposal	Without the benefit of planning permission the material change in the use of the land from a dwellinghouse to a mixed use as a dwellinghouse and a use for the repair of motor vehicles.
Case Officer	Amanda Hopkins
Appeal Decision	Pending.

**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>Appeal is linked to appeal against refusal of planning permission for the same site and will be dealt with as one appeal.</p> <p>Request by both parties sent to PINS that the inquiry date should be set for no earlier than July 2021.that inquiry will be held remotely. Inquiry date set for 6 July 2021.</p>

**AREA COMMITTEE: STEPPING HILL**

Appeal Date	4 February 2021
Appeal Procedure	Written Representations
Location	147 Stansbury Place, Offerton,
Proposal	Appeal against and Enforcement Notice without the benefit of planning permission the construction of a fence over 1 metre in height adjacent to the highway used by vehicular traffic.
Case Officer	Dave Westhead
Appeal Decision	Pending.



## **AREA COMMITTEE: WERNETH**

Appeal Date	17 August 2020
Appeal Procedure	Written Representations
Location	43 Queens Avenue, Bredbury
Proposal	Appeal against High hedge Notice
Case Officer	Dave Westhead
Appeal Decision	Pending.

## **ENFORCEMENT NOTICES**

### **AREA COMMITTEE: BRAMHALL & CHEADLE HULME SOUTH**

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	67 Earle Road, Bramhall
<b>Description</b>	Unauthorised 2nd floor rear extension
<b>Case Officer</b>	Amanda Hopkins
<b>Notice Served Date</b>	10 <sup>th</sup> July 2018
<b>Compliance Date</b>	28 <sup>th</sup> February 2019. Following dismissal of a planning appeal concerning the same property, compliance date now 30/4/19. Notice not complied with, prosecution file being prepared.  Appeal against refusal of planning permission dismissed, notice not complied. Prosecution

proceeding – not guilty plea entered;

Court date 25 February 2021. Trial date set for 12 July 2021.

**Action**

High Hedge Notice Served

**Location**

Land to the rear of 3 Nimrod Grove, Woodford

**Description**

A high hedge causing significant obstruction of daylight & sunlight to the rear of 3 Nimrod Grove.

**Case Officer**

Debbie Whitney.

**Notice Served Date**

04/12/19

**Compliance Date**

If no appeal is submitted compliance, date is 31/03/20.

Variation Notice served on 25 March 2020 allowing 11 months from the date of service to comply with initial action. Land ownership has changed. Still being pursued, awaiting up to date land registry details.

**AREA COMMITTEE: CENTRAL STOCKPORT**

**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.

**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. Not complied with, prosecution file being prepared.

**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** 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, work to construct building has commenced on site. As such amenity issues will be resolved. Site to be monitored.

**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

**AREA COMMITTEE: CHEADLE**

**Compliance Date** 18/12/20  
**Action** S 215 Enforcement Notice Served  
**Location** 106 Crossefield Road, Cheadle Hulme  
**Description** Land detrimental to the amenity of the area  
**Case Officer** Amanda Hopkins  
**Notice Served Date** 2 July 2020  
**Compliance Date** 28 December 2020. Pending appeal in relation to 108 further action paused pending appeal decision as issues are similar. Following withdraw of appeal at 108 owner to be written to and required to comply within 3 months. Not complied with prosecution file being prepared.

**Action** S 215 Enforcement Notice Served  
**Location** 73 Crossefield Road, Cheadle Hulme  
**Description** Land detrimental to the amenity of the area  
**Case Officer** Amanda Hopkins  
**Notice Served Date** 2 July 2020  
**Compliance Date** 28 December 2020. Pending appeal in relation to 108 further action paused pending appeal decision as issues are similar. Following withdraw of appeal at 108 owner to be written to and required to comply within 3 months. Not complied with, prosecution file being prepared.

**Action** S 215 Enforcement Notice Served  
**Location** 108 Crossefield Road, Cheadle Hulme  
**Description** Land detrimental to the amenity of the area  
**Case Officer** Amanda Hopkins  
**Notice Served Date** 2 July 2020  
**Compliance Date** 28 December 2020. Owner has appealed the Notice. In Magistrates court on 18 February 2021. Appeal withdrawn and notice complied with.

**Action** Enforcement Notice Served  
**Location** 5 Mona Avenue, Heald Green  
**Description** Without the benefit of planning permission the material change in the use of the land from a



dwellinghouse to a mixed use as a dwellinghouse and a use for the repair of motor vehicles.

**Case Officer**

Amanda Hopkins

**Notice Served Date**

22 January 2021

**Compliance Date**

20 May 2021. Appeal submitted.

## AREA COMMITTEE: HEATONS & REDDISH

<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. Following positive discussions between the owner and the Council an application which will overcome the reasons for service of the notice will be submitted. The Notice has now been varied so that it become effective on 19/12/20. This allows for the application to be submitted and determined without the need to deal with an appeal. The compliance date will be extended by 4 months. Valid application to vary condition received. Matter with case officer. Notice effective date further extended to 19/2/2021 as app will go to committee following objections made. Application withdrawn and new one submitted. Notice withdrawn to allow proper consideration of new application. Council can re-serve a notice if required. Planning permission now granted. Breach resolved.

**Location** 7 Peel Moat Road, Heaton Moor

**Description** Reinstatement of boundary gates within a Conservation Area.

**Case Officer** Amanda Hopkins

**Notice Served Date** 28 October 2019

**Compliance Date** Compliance by 28 February 2020. Notice not complied with but extension allowed due to Covid-19 situation. Owner has demonstrated he has quotes from several specialists to manufacture new gates. If notice not complied with within approx. one month a prosecution will be considered.

Given the high number of new and continuing cases a prosecution will be considered in 2021. Property has been sold and new owner has contacted the Council. He is aware that the notice is in place and that he is liable for compliance. He will deal with this as a priority.

#### **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<sup>th</sup> June 2017

**Compliance Date** 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.

UPDATE New notice served 31/10/18 requiring compliance of the following steps:-

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 land
4. Remove from the land all shipping containers and goods vehicle bodies
5. 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 land
7. 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.

TIME FOR COMPLIANCE:

- Steps 1 & 13 31st December 2018.
- Steps 2 to 12 31st May 2019.
- Public Inquiry set for 3 days from 13 January 2021 venue to be confirmed. Waiting for confirmation from PINS that inquiry will be held remotely.

- Request by both parties sent to PINS that the inquiry date should be set for no earlier than July 2021 Inquiry date set for 6 July 2021.

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	144 Stockport Road, Marple
<b>Description</b>	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.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	20 June 2018
<b>Compliance Date</b>	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. Council to follow up and report for next committee. Notice not complied with. Prosecution file prepared. Case to be heard at Warrington Magistrates Court on 04/10/19. Not guilty plea entered and defendant has elected Crown Court Trial. Plea and direction hearing at Liverpool Crown Court 1/11/19. Case adjourned for trial at Liverpool Crown Court on 18th may 2020 (3 day trial). Now adjourned to 9th & 10th November for trial. Trial adjourned as listed as a floating trial and did not have an allocated court, no court was available due to the restricted number of courts in use. New trial date, week commencing 19 April 2021. Mrs. Howell contacted the court by video link and give medical reasons why she could not attend court. After consideration the judge has vacated the trial, given current caseloads this will now be listed for trial in February 2022.

**Action** Enforcement Notice served  
**Location** Land at Wybersley Road, High lane  
**Description** Without the benefit of planning permission the material change in use of the land for the importation, sorting, storage & disposal of waste.  
**Case Officer** Dave Westhead  
**Notice Served Date** 12 November 2020  
**Compliance Date** Step 1 one month, steps 2 & 3 seven months. Step 1 complied with.

#### **STEPPING HILL AREA COMMITTEE**

**Action** High Hedge Notice served  
**Location** 4 Hornsea Road, Offerton  
**Description** Hedge the height of which is taking light and sunlight from garden of complainant's property.  
**Case Officer** Debbie Whitney  
**Notice Served Date** 20/03/2020  
**Compliance Date** 21/12/2020 - Covid secure site visit to be carried out. Notice complied with.

**Action** Enforcement Notice Served  
**Location** 147 Stansbury Place, Offerton.  
**Description** Without the benefit of planning permission the erection of a fence over 1 metre in height adjacent to the highway.  
**Case Officer** Dave Westhead  
**Notice Served Date** 9 November 2020  
**Compliance Date** 8 June 2021 Appeal submitted awaiting Start Letter. Start letter received and Councils statement submitted. It is envisaged that the Inspectorate decision will be received in July/August.

**AREA COMMITTEE: WERNETH**

**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**

**Compliance Date** 11<sup>th</sup> February 2019 following dismissal of appeal. Application for potential alternative use submitted, Council to consider application.

The application needs to be a Committee decision, due to both the number of objections and support lodged against it. A planning report was on the agenda for the Werneth Area Committee in July but was deferred by Cllrs following a request from the applicant. We are currently awaiting further details from the applicant.

Planning permission has been granted. Whilst planning permission has been granted it has not yet been implemented, the notice therefore remains in place until the permission is implemented.

**Action** Enforcement Notice Served

**Location** 123 Werneth Road, Woodley

**Case Officer** Dave Westhead

**Description** Enforcement Notice served to remove unauthorised rear extension. Notice served 20/12/19 effective 20/01/20.

**Compliance Date** 20/07/20. Owner submitted an application for alternative smaller extension along with removal of several outbuildings. Application was granted. To allow for work to be carried out as one action and given covid restrictions notice compliance date extended to 1 May 2021.



**Action** High Hedge Remedial Notice  
**Location** 43 Queens Avenue Bredbury  
**Case Officer** Dave Westhead  
**Description** High Hedge Remedial Notice served on 21/01/20 requiring hedge forming the boundary with 42 Newlyn Drive to be reduced to 2 metres. Notice becomes effective on 20/02/20.  
**Compliance Date** 31/10/20. Appeal submitted.

**Action** Tree Replacement Notice  
**Location** Land adjacent to Unity Mills, Poleacre Lane, Woodley  
**Case Officer** Dave Westhead  
**Description** Plant a mixture of 100 native woodland trees as 2 year old whips of a minimum size of 40 centimetres in a random pattern at 2 metre intervals.  
6<sup>th</sup> March 2020 – replant is required to take place within 12 months of 11<sup>th</sup> March 2019. The usual time for planting is between the end of September and the end of March.  
The owner of the land was prosecuted and convicted for cutting down 34 trees in a woodland TPO and a subsequent replant notice was served requiring the plantation of a mixture of 100 native woodland trees as 2 year old whips (each whip is to be supported with a cane and protected with a commercially available rabbit tube for a period of 3 years). The compliance date was mid-April. However, due to Covid restrictions and difficult access with locked gates meaning the land owner needed to attend, a site visit was not arranged until 12 August 2020 (when it was arranged that the landowner would allow safe access under Covid-19 guidelines and then remain

off the site while officers inspected.

The owner has been contacted and required to provide covid safe access to land on 12 August 2020 follow up to be provided after site visit.

Owner did not attend on site. Second letter sent for access on 26 August 2020. No response was received. Contact has now been made with the owner's agent rather than directly and he has confirmed that he will try to arrange access. If this course of action is non-productive, the Council will consider applying for a warrant to enter the land. Deadline for replanting is 31 January 2021.

The owner has been in contact and confirmed that he had a company employed to carry out the works week commencing 4 January 2021, however following the Prime Ministers announcement of a full lockdown nationwide the company will not be able to complete the works in this time period.

At present a provisional date of 15<sup>th</sup> February has been provided to carry out the planting, however this is dependent on the vaccine roll out and a reduction in restrictions, if this is not possible a further date of 15<sup>th</sup> March has provisionally been booked.

**Action**

Stop Notice and Enforcement Notice

**Location**

Land at Mill Lane, Romiley

**Case Officer**

Dave Westhead

**Description**

Without the benefit of planning permission the material change in the use of the land for the importation, sorting, storage and disposal of soil, building rubble and other materials.

**Compliance Date**

Stop Notice compliance by 3 June 2019, Enforcement Notice compliance by 1 July 2019. Whilst the Notice was initially complied with a prosecution file was prepared following a breach.

Prosecution file with Legal. Legal are waiting for a court date. 1<sup>st</sup> Court date 12 February 2021 this is a holding date in order to issue a summons in time, on this date the case will be adjourned.