

## **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: CHEADLE

Appeal date	27 September 2021
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	11 Appleby Road, Gatley
Proposal	Appeal against refused approval of matters reserved under outline planning permission the erection of new metal railings, new sliding gate and a new boundary wall.
Case Officer	Helen Hodgett
Appeal Decision	Pending

**AREA COMMITTEE: CHEADLE**

Appeal date	6 October 2021
Appeal Procedure	Written Representations
Original Determination Level	
Nominated Councillor for Appeal (Overturns Only)	
Location	46 Grasmere Road, Gatley
Proposal	Appeal against refused approval of matters reserved under outline planning permission the erection of a front boundary wall railings and gate, brick pillars an electric sliding gate and brick boundary wall with black metal railings.
Case Officer	Callum Coyne
Appeal Decision	Pending

**ENFORCEMENT APPEALS****AREA COMMITTEE: CHEADLE**

Appeal date	
Appeal Procedure	Court Hearing

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 set for 28/5/21.</p> <p>At the hearing on 28 May, the defendant's applications to dismiss the claim against him, and to grant a further extension of time to comply with the Court Order requiring the submission of a planning application in respect of the former Standard Chemicals site at Mill Lane, were both dismissed by the Judge.</p> <p>The Council was awarded costs in the sum of £21,238</p> <p>The defendant's representative indicated that his client would be seeking leave to appeal (which needs to be done by 25 June) but the Council has not had any notification of that. Appeal has been made to the Court of Appeal Civil Division, Court has not yet considered the appeal to see if it will be allowed to go ahead. The Council has no indication given court backlogs of when we will receive notification.</p>

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	Appeal dismissed on 20/7/2021 notice now effective and must be complied with by 20/10/2021 Site visit pending

## ENFORCEMENT NOTICES

### AREA COMMITTEE: CHEADLE

<b>Action</b>	S 215 Notice Served
<b>Location</b>	73 Crossefield Road, Cheadle Hulme
<b>Description</b>	Land detrimental to the amenity of the area
<b>Case Officer</b>	Amanda Hopkins
<b>Notice Served Date</b>	2 July 2020

<b>Compliance Date</b>	<p>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.</p> <p>Not complied with prosecution file with Legal</p> <p>Awaiting 1<sup>st</sup> court date</p>
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#### AREA COMMITTEE: CHEADLE

<b>Action</b>	Enforcement Notice Served
<b>Location</b>	5 Mona Avenue, Heald Green
<b>Description</b>	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.
<b>Case Officer</b>	Amanda Hopkins
<b>Notice Served Date</b>	22 January 2021
<b>Compliance Date</b>	<p>20 May 2021. Appeal submitted.</p> <p>Appeal dismissed compliance by 21/10/2021 Site visit pending</p>

<b>Action</b>	Breach of Condition Notice Served
<b>Location</b>	Barnes Hospital (now Barnes Village) Cheadle
<b>Description</b>	Breach of condition notice for failure to carry out maintenance of landscaping
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	20 August 2021
<b>Compliance Date</b>	20 October 2021 Work ongoing and being monitored

#### AREA COMMITTEE: CHEADLE

<b>Action</b>	Breach of Condition Notice Served
<b>Location</b>	Barnes Hospital (now Barnes Village) Cheadle
<b>Description</b>	Breach of condition notice for failure to replace trees that have been removed, died or are seriously diseased.
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	20 August 2021
<b>Compliance Date</b>	20 February 2022

<b>Action</b>	Breach of Condition Notice Served
<b>Location</b>	Barnes Hospital (now Barnes Village) Cheadle
<b>Description</b>	Breach of condition notice for failure to carry out the approved landscaping scheme
<b>Case Officer</b>	Dave Westhead
<b>Notice Served Date</b>	20 August 2021
<b>Compliance Date</b>	20 December 2021